

NATIONAL TRANSPORTATION SAFETY BOARD

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IN RE: :
 :
THE EL FARO INCIDENT OFF : NTSB Accident No.
THE COAST OF THE BAHAMAS ON : DCA16MM001
OCTOBER 1, 2015 :
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Interview of: CHARLES BAIRD

Sunday,
December 6, 2015

JAXPORT
Blount Island Marine Terminal
Jacksonville, Florida

BEFORE:

MIKE KUCHARSKI, NTSB

This transcript was produced from audio
provided by the National Transportation Safety Board.

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1 P-R-O-C-E-E-D-I-N-G-S

2 MR. KUCHARSKI: Good morning, everyone. My
3 name is Mike Kucharski. I'm with the NTSB. We're here
4 now at the Administration Building of Blount Island
5 Terminal in JAXPORT in a conference room.

6 Today is the 6th of December, Sunday, and
7 it's approximately 9:13 a.m. And I have Charles Baird
8 sitting beside me. The purpose of our being here is to
9 interview Mr. Baird in reference to the El Faro sinking
10 -- I couldn't say that before but now we have the
11 confirmation and we know where it is -- and the
12 accident itself and things that led up to the accident.

13 Mr. Baird, before I go on any further, I'd
14 like to make sure you're comfortable with our recording
15 this interview, okay?

16 MR. BAIRD: Right.

17 MR. KUCHARSKI: And I mentioned that you
18 will have a chance to review this transcript. This
19 recording will be transcribed. We want to get the
20 facts right. So we don't want to misquote anything.
21 So it's important that you review that. You'll have a
22 chance to do that. And are you comfortable with
23 everyone that is in the room right now?

24 MR. BAIRD: Yes, it's a little overpowering.
25 I'm comfortable.

1 MR. KUCHARSKI: Just want to make sure
2 you're comfortable. And then we will shortly go around
3 the room and introduce everyone and those people on the
4 phone. There are people on the phone also.

5 So let me get started with the NTSB and what
6 our role is. We're an independent Federal agency
7 charged with determining the probable cause of
8 transportation accidents and ultimately to promote
9 transportation safety. We are not part of the
10 Department of Transportation, the Coast Guard, any
11 other regulatory body. And we have no enforcement
12 powers. We don't have any regulatory powers either.

13 What will come out of all this in the grand
14 scheme of things is a report which -- Have you ever
15 seen one of our reports, the NTSB reports?

16 MR. BAIRD: No.

17 MR. KUCHARSKI: No, okay. This will be a
18 fairly long one to go ahead and determine the probable
19 cause. And at the end we generally -- I can't imagine
20 we wouldn't in this type of an investigation -- come
21 out with recommendations. Again, it's to promote
22 public safety.

23 We have a party system that we use. Parties
24 to this investigation are, of course, TOTE Services,
25 the NTSB -- we're a party -- American Bureau of

1 Shipping and the United States Coast Guard. All
2 parties, those are the parties.

3 Within those parties, we also have group
4 chairmen. I am a Group Chairman. I am Chairman of the
5 Nautical Operations Group, deck-related stuff.

6 Again, the purpose of this -- and I
7 mentioned it earlier off the record -- it's fact
8 finding. We then analyze the facts and we determine
9 probable cause and come out with recommendations.

10 Anywhere in this interview if you think that
11 you misstated something, please say so. You can go
12 back during this interview. We'll give you that
13 opportunity. We'll maybe go off the record and you can
14 say "What I meant to say." It's not to trick you or
15 anything here.

16 We just want to understand to the best of
17 your knowledge. So it's what you know. If you don't
18 know, that's fine to say you don't know. I've said
19 that many times when people ask me a question. At the
20 end of the interview, I'll ask you if there's anything
21 else you'd like to add.

22 Moving right along, again the purpose of the
23 investigation is to increase safety and not to assign
24 fault, blame or liability. We cannot offer any
25 guarantee of confidentiality or immunity from legal or

1 certificate actions. We don't have any legal or
2 certificate actions that we can bring, but it's a
3 possibility.

4 Confidentiality, this interview will be part
5 of the public docket which means that it will be open
6 to the public. They can go look at it if they would
7 like to.

8 You're allowed to have one personal
9 representative here. Do you have a personal
10 representative?

11 MR. BAIRD: Yes. Mike.

12 MR. KUCHARSKI: Okay. And we'll ask him
13 when we go around the room with introductions. The
14 representative cannot testify for you.

15 MR. BAIRD: Right.

16 MR. KUCHARSKI: The answers have to come
17 from you. But any time you want to either go off the
18 record to discuss things with him or feel free to lean
19 in and talk to him, that's okay. Again, we'd like to
20 get it right.

21 The representative's comments should be
22 limited. Legal evidentiary objections are not ground
23 for NTSB to refrain from asking the questions.

24 Any questions so far?

25 MR. BAIRD: I'm good.

1 MR. KUCHARSKI: Again, my name is Mike
2 Kucharski. And going around starting in back of me,
3 introduce yourself please.

4 MS. SERRIDGE: This is Melissa Serridge, HR
5 Manager for TOTE Services and part of the Union
6 Performance Investigative Service.

7 MS. BELL: Carrie Bell, NTSB, Human
8 Performance Group Chair.

9 MR. FAWCETT: Keith Faucett. Good morning.
10 I'm a Coast Guard Civilian Marine Casualty
11 Investigator. I work with Carrie Bell's group and with
12 Melissa. I'm a licensed Merchant Marine officer.

13 MR. [REDACTED] Good morning. I'm [REDACTED]
14 [REDACTED] with Coast Guard. I'm part of the Nautical
15 Operations Group.

16 MR. RICHARDS: Good morning. Mike Richards,
17 NTSB Group Chair for Meteorology.

18 MS. FINSTERBUSCH: Patty Finsterbusch, TOTE
19 Services. Part of the Survival Factors Group.

20 MR. TANNER: I'm Mike Tanner, Tanner &
21 Bishop here in Jacksonville. I'm the representative
22 here for Mr. Baird.

23 Mr. PETERSON: Lee Peterson. I'm the TOTE
24 party coordinator.

25 MR. KUCHARSKI: Just a couple things. Those

1 of you on the phone, I will get to the phone shortly.
2 Please when you're at the outskirts there if you will
3 feel free to yell so we can get that. I've listened to
4 some of these on the phone and it's very difficult to
5 hear when you're away from that microphone. So don't
6 feel like we're screaming at things, but I can tell you
7 it's hard to hear either on the phone or even as we
8 record when you're far away from it.

9 On the phone please, who do we have?

10 MR. STOLZENBERG: Eric Stolzenberg with NTSB
11 Naval Architect Group.

12 MR. FURUKAWA: Jon Furukawa, NTSB, Survival
13 Factors Group.

14 MR. GRUBER: Tom Gruber, ABS, Nautical Op
15 Group.

16 MR. KUCHARSKI: Okay. So we have three on
17 the telephone.

18 MR. STITH: Kevin Stith, TOTE Services,
19 Nautical Operations Group.

20 MR. KUCHARSKI: Okay. Thank you, gentlemen.
21 I heard that loud and clear. Anyone else out there?

22 (No verbal response)

23 Okay. Mr. Baird, would you state your name for the
24 record and would you spell it please?

25 MR. BAIRD: My name is Charles Thomas Baird,

1 B-A-I-R-D.

2 MR. KUCHARSKI: Charles, C-H-A-R-L-E-S?

3 MR. BAIRD: Right.

4 MR. KUCHARSKI: Thomas, T-H-O-M-A-S?

5 MR. BAIRD: Yes.

6 MR. KUCHARSKI: Thank you. Can everybody
7 hear him on the phone okay?

8 MR. STITH: Yes.

9 MR. KUCHARSKI: Mr. Baird, would you start
10 by telling us your nautical background, education
11 related, sailing experience? Would you walk us through
12 that please?

13 MR. BAIRD: Okay. I'm a 1985 graduate of
14 Maine Maritime Academy. I have been on DEP Department.
15 I hold a chief mate's unlimited license. And I've been
16 sailing since 1985 in various positions, a chief mate,
17 second mate and, most recently, a third mate.

18 MR. KUCHARSKI: And you said you have an
19 unlimited chief mate's license.

20 MR. BAIRD: Right. Correct.

21 MR. KUCHARSKI: Have you sailed -- Could you
22 from '85 on, as best you can recollect, tell us the
23 ships you were on and walk us through to the present?

24 MR. BAIRD: All right. Seventeen years on
25 tankers. And when double bottoms came into effect,

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1 half the American fleet went and so did my tankers.
2 And I got a job with this company about 12-13 years
3 ago. I went from tankers with 17 years to here about
4 12 years on container ships.

5 MR. KUCHARSKI: So the 17 years on tankers,
6 was that all with the same union?

7 MR. BAIRD: It was non-union. It was MORMAC
8 (phonetic). That's what it was called. And then it
9 was Marine Transport Lines which got bought out by
10 Crowley and then came here.

11 MR. KUCHARSKI: All right. MORMAC and then
12 MTL, Marine Transport Lines.

13 MR. BAIRD: Right.

14 MR. KUCHARSKI: And then -- I'm sorry.

15 MR. BAIRD: Crowley took over.

16 MR. KUCHARSKI: Crowley, okay. And those
17 are all on tankers.

18 MR. BAIRD: Right.

19 MR. KUCHARSKI: When did you start working
20 for either TOTEM? Or when you say this company 12
21 years ago, what company was that?

22 MR. BAIRD: That would have been SeaStar.

23 MR. KUCHARSKI: SeaStar.

24 MR. BAIRD: SeaStar, yes. I think that was
25 2004. I mean Lee might have more exact dates, but it

1 was around 2004.

2 MR. KUCHARSKI: Around 2004, you came to
3 work for SeaStar.

4 MR. BAIRD: Right.

5 MR. KUCHARSKI: And let me back up a little
6 bit on the tanker experience. Could you tell us what
7 positions on the tankers you were?

8 MR. BAIRD: Started third mate, second mate
9 and then chief mate and stayed at chief mate until they
10 scraped the ship. And then I came over here.

11 MR. KUCHARSKI: And then about 2004 it was
12 with SeaStar.

13 MR. BAIRD: Right.

14 MR. KUCHARSKI: So starting with SeaStar
15 then, was that with any particular union?

16 MR. BAIRD: AMO.

17 MR. KUCHARSKI: It was with AMO.

18 MR. BAIRD: Yes. I joined AMO and came onto
19 this company.

20 MR. KUCHARSKI: So in 2004 you joined AMO.

21 MR. BAIRD: Right.

22 MR. KUCHARSKI: And you came to SeaStar. And
23 what ship was that on?

24 MR. BAIRD: That was on the El Morro.

25 MR. KUCHARSKI: On the El Morro.

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1 MR. BAIRD: Which has since been scraped.

2 MR. KUCHARSKI: Okay.

3 MR. BAIRD: Maybe two years ago.

4 MR. KUCHARSKI: And the El Morro, was that
5 the same basic sister ship to the El Faro?

6 MR. BAIRD: And the El Yunque. They're all
7 basically the same.

8 MR. KUCHARSKI: And the El Yunque.

9 MR. BAIRD: Yes.

10 MR. KUCHARSKI: So they all were row, low
11 operation.

12 MR. BAIRD: Right, roll on/roll off and low-
13 low I guess.

14 MR. KUCHARSKI: Low-low putting the
15 containers on deck.

16 MR. BAIRD: Right.

17 MR. KUCHARSKI: Okay. And what position in
18 2004 did you come to the El Morro?

19 MR. BAIRD: Third mate.

20 MR. KUCHARSKI: As third mate.

21 MR. BAIRD: Yes.

22 MR. KUCHARSKI: And then after the El Morro
23 could you step us through?

24 MR. BAIRD: Well, I was on the El Morro I
25 want to say for around nine years or so. And then when

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1 they scraped it, I went over to the El Faro and was on
2 the El Faro for a couple years until she went down. It
3 had to be at least two years on the El Faro.

4 MR. KUCHARSKI: Okay, at least two years on
5 the El Faro. So it was El Morro and then El Faro.

6 MR. BAIRD: Right.

7 MR. KUCHARSKI: Did you serve on the El
8 Yunque ever?

9 MR. BAIRD: No.

10 MR. KUCHARSKI: You did not serve on the El
11 Yunque. And the positions, okay. So in 2004 you were
12 third mate on the El Morro.

13 MR. BAIRD: Yes, El Morro.

14 MR. KUCHARSKI: And?

15 MR. BAIRD: I want to say maybe 2006 I was
16 made second mate.

17 MR. KUCHARSKI: Okay.

18 MR. BAIRD: And I had been second mate since
19 then.

20 MR. KUCHARSKI: Okay. So second mate from
21 2006 on the El Morro right through to the last time you
22 were on El Faro.

23 MR. BAIRD: Right.

24 MR. KUCHARSKI: As second mate.

25 MR. BAIRD: Yes.

1 MR. KUCHARSKI: Let me stop there and go
2 around the room and see if there are any questions now
3 about his background.

4 MR. [REDACTED] [REDACTED] [REDACTED] with the Coast
5 Guard. Did you say you sailed -- I thought I heard you
6 say you sailed chief mate.

7 MR. BAIRD: On the tankers.

8 MR. [REDACTED] On El Morro.

9 MR. BAIRD: No, on the tankers I was on.

10 MR. [REDACTED] I misheard that.

11 MR. BAIRD: With the El Morro or El Faro, it
12 was second mate.

13 MR. [REDACTED] Could you walk us through as
14 second mate on the El Faro what your general duties
15 are?

16 MR. BAIRD: As second mate, obviously cargo
17 when we're in port, voyage planning. I would make sure
18 the weather is -- I have an overview of the weather
19 before we left port and I'd have a voyage plan for when
20 we left port.

21 On this particular run now, it's not like
22 you're doing an odd trip. You're going from
23 Jacksonville to San Juan and then from San Juan to
24 Jacksonville. So it's the same voyage. It's a second
25 mate's dream because there's not much chart correcting.

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1 It's an easy run. It's Caribbean weather
2 usually. So basically I'm keeping the charts and the
3 publications up to date and we would make a voyage plan
4 for each voyage, be it southbound or northbound.

5 MR. KUCHARSKI: Okay. So you had a cargo
6 watch in port.

7 MR. BAIRD: Right.

8 MR. KUCHARSKI: You were the navigator on
9 the vessel as second mate.

10 MR. BAIRD: Yes.

11 MR. KUCHARSKI: Yes. You kept up the
12 charts. How about the bridge navigation equipment?
13 Did you have any role in that?

14 MR. BAIRD: That was part of my job to make
15 sure everything was working properly.

16 MR. KUCHARSKI: Working properly, okay. And
17 if something wasn't working, what would you do?

18 MR. BAIRD: I would bring it to the
19 attention of the captain and we would have it repaired
20 or looked into.

21 MR. KUCHARSKI: Were you also the GMDSS
22 officer?

23 MR. BAIRD: Myself and the rest of the crew,
24 I mean, the rest of the officers were also all GMDSS
25 officers.

1 MR. KUCHARSKI: They were GMDSS qualified.

2 MR. BAIRD: Yes, qualified.

3 MR. KUCHARSKI: But was there a GMDSS log
4 that was kept up?

5 MR. BAIRD: Yes.

6 MR. KUCHARSKI: Who kept that log up?

7 MR. BAIRD: Each person signed in and signed
8 out for their particular watch. The GMDSS log was
9 never really turned into anybody. It stayed on board
10 of the vessel.

11 MR. KUCHARSKI: Okay.

12 MR. BAIRD: There was no carbons of it. It
13 stayed with the vessel.

14 MR. KUCHARSKI: But you made sure that that
15 was maintained.

16 MR. BAIRD: Right.

17 MR. KUCHARSKI: The people filled it out.

18 MR. BAIRD: Yes.

19 MR. KUCHARSKI: And so you did voyage
20 planning. You did navigation type work. How about
21 were you a bridge navigating officer? Did you stand a
22 bridge watch?

23 MR. BAIRD: Yes, I stood the midnight to
24 4:00 a.m. and noon to 4:00 p.m. So I was on the 12 to
25 four.

1 MR. KUCHARSKI: Okay. You were on the 12 to
2 four watch. When the ship came into port, did you
3 stand eight hour watches?

4 MR. BAIRD: We would stand six hour watches.
5 I would go 12 to 6:00 p.m. and then 12 to 6:00 a.m.

6 MR. KUCHARSKI: Okay. So you broke the --
7 can I call them sea watches?

8 MR. BAIRD: We called them cargo watches I
9 guess and in-port watches.

10 MR. KUCHARSKI: But you broke the sea
11 watches and then went to in-port type watches.

12 MR. BAIRD: Right.

13 MR. KUCHARSKI: Six and six.

14 MR. BAIRD: Yes.

15 MR. KUCHARSKI: Let me stop there. Any
16 questions?

17 (No verbal response)

18 Now you mentioned voyage planning. Tell us
19 about your role in the voyage planning and then other
20 roles who checked the voyage plans. Was there a second
21 check made? Who actually looked at -- Who made the
22 voyage plan and then who checked it?

23 MR. BAIRD: I would make it. But again it's
24 131310, one line. From Jacksonville to San Juan is one
25 line. It's not like it's a complicated voyage plan

1 where you're making turns or anything. It's a straight
2 line. So I would make it up and the captain would sign
3 it and approve it. But it was 99 times out of 100 the
4 same route.

5 MR. KUCHARSKI: And did someone else second
6 check it? Was there a second check besides the
7 captain?

8 MR. BAIRD: It would be me and the captain.

9 MR. KUCHARSKI: Just you and the captain.

10 MR. BAIRD: Well, each officer would look at
11 it. But it would be the same course.

12 MR. KUCHARSKI: Was there a passage plan
13 also from sea buoy into the dock and back out?

14 MR. BAIRD: Yes.

15 MR. KUCHARSKI: Was that separate from the
16 voyage plan?

17 MR. BAIRD: That was separate from the
18 voyage plan.

19 MR. KUCHARSKI: And who reviewed that?

20 MR. BAIRD: The captain.

21 MR. KUCHARSKI: Did all the officers sign
22 the voyage plan and the passage plan?

23 MR. BAIRD: No, it would have just been
24 myself and the captain.

25 MR. KUCHARSKI: Was it posted for the other

1 officers to be able to --

2 MR. BAIRD: Yes, it was posted on the
3 bulkhead.

4 MR. KUCHARSKI: On the bulkhead.

5 MR. BAIRD: Yes.

6 MR. KUCHARSKI: There is?

7 MR. BAIRD: Right on the bridge. So it's
8 right there for anybody to see.

9 MR. KUCHARSKI: Was that voyage plan or
10 passage plan sent into the company?

11 MR. BAIRD: No, we kept it on board.

12 MR. KUCHARSKI: So no copies were ever sent
13 into the company.

14 MR. BAIRD: Not that I'm aware of, no.

15 MR. KUCHARSKI: Stop there --

16 MR. BAIRD: Even now --

17 MR. KUCHARSKI: I'm sorry.

18 MR. BAIRD: -- we would just make out a
19 passage plan and it stays on the ship.

20 MR. KUCHARSKI: In a minute, we'll go into
21 other weather routing plans. Okay.

22 MR. BAIRD: Yes.

23 MR. KUCHARSKI: But the pure passage plan
24 right now, I want to stop and ask if there are any
25 questions on that voyage plan. Keith?

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1 MR. FAWCETT: Keith Fawcett, U.S. Coast
2 Guard.

3 What would you like me to call you? Charles?

4 MR. BAIRD: Charlie is fine.

5 MR. FAWCETT: Charlie.

6 MR. BAIRD: Yes.

7 MR. FAWCETT: Charlie, were there any other
8 factors? What factors did you take into account when
9 you made the voyage plan in general?

10 MR. BAIRD: The only factor I would take
11 into account would be the weather. If I didn't like
12 the weather that was in front of me, I would speak to
13 the captain and we would discuss an alternate route.
14 Instead of going the regular route, we had options that
15 are available to us.

16 But weather and time, I guess if we left
17 late and we've got to go full speed as opposed to a
18 reduced speed to save fuel. But if we left late, we'd
19 have to go faster to make our arrival time. I would go
20 over the passage thing and say "All right. We're
21 leaving at 10:00 p.m. We have to make 5:00 on Monday."
22 We have 50 hours to do it in. We've got to make 21
23 plus knots. We might be late or we might make it
24 depending on the weather on the way down.

25 MR. FAWCETT: And we'll go back. As Mr.

1 Kucharski said, we'll talk more later. So just in
2 general you're making a general voyage plan. Would you
3 take into account local notice to mariners or NAVTEC
4 messages for the route that you were going to go?

5 MR. BAIRD: Well, we'd look at the weather.
6 We have our own weather program and if there were buoys
7 that were out in San Juan Harbor, they'd show up on the
8 NAVTECs. We would obviously correct the chart for
9 those buoys. We looked at most everything that was at
10 our disposal.

11 MR. FAWCETT: Did your general voyage
12 planning take into account the right whale season and
13 the right whale zones?

14 MR. BAIRD: Definitely.

15 MR. FAWCETT: And how would you get
16 information about what you were required to do for
17 those?

18 MR. BAIRD: We knew what we had to do from
19 October until I think -- what is it -- we have to
20 reduce speed coming in and out of Jacksonville. So we
21 plan on that extra hour and a half in our ETAs one way
22 or the other. Right now, during this time of the year,
23 we have that speed restriction coming into Jacksonville
24 and leaving; whereas the rest of the year we do not.
25 We can go full speed because there wasn't an hour and a

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1 half in time.

2 MR. FAWCETT: And once again, just talking
3 about general voyage planning, you said you knew about
4 the right whale season. How did you know that? Did it
5 come in the form of a broadcast, a notice to mariners,
6 or something like that?

7 MR. BAIRD: All through we have circulars
8 that came in from the right whale people telling us the
9 times when it was in effect. This is in effect all the
10 way up the east coast.

11 MR. FAWCETT: Okay.

12 MR. BAIRD: Up into New York and Boston, not
13 just Jacksonville.

14 MR. FAWCETT: And then just once again,
15 general voyage planning, anything else you can think of
16 that would come into it?

17 MR. BAIRD: The weather and the time we
18 leave are the most important to me. If we leave on
19 time from Jacksonville, then we arrive on time in San
20 Juan. If we leave late and especially this time of the
21 year, it's harder to make your schedules because of the
22 whale zone.

23 And we have a clock change on the way down
24 to San Juan. It costs us an hour and a half in the
25 whale zone. It costs us an hour in sea time. So two

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1 and a half hours behind the gun right away.

2 MR. FAWCETT: Just my final question. You
3 mentioned behind the gun. Is your voyage planning
4 tighter going south for time?

5 MR. BAIRD: Oh yes.

6 MR. FAWCETT: As opposed to going north?

7 MR. BAIRD: We have an extra coming north.

8 MR. FAWCETT: So your margins are tighter on
9 the southbound.

10 MR. BAIRD: Right.

11 MR. FAWCETT: Thank you very much, Charlie.

12 MR. BAIRD: Because we leave Friday
13 afternoon or evening. The later we leave Friday night
14 the less likely we are to make our arrival time on
15 Monday. Normally it would be 5:00 arrival. They
16 started extending it to 7:00. If we're late leaving,
17 we're late arriving.

18 But on the way back like I said we have an
19 extra day. So we go at reduced speed on the way back
20 from San Juan to Jacksonville.

21 MR. FAWCETT: Thanks, Charlie.

22 (Simultaneous speaking)

23 MR. STITH: This is Kevin Stith with TOTE
24 Services. I've got a couple of questions about voyage
25 planning if that's okay.

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1 MR. KUCHARSKI: Sure. Go ahead, Kevin.

2 MR. STITH: Good morning, Charlie. Kevin
3 here.

4 MR. BAIRD: Yes, Kevin.

5 MR. STITH: Concerning voyage planning in
6 general, how involved would you say Captain Davidson
7 was with you in voyage planning? Was it like 50/50 or
8 how would you describe it?

9 MR. BAIRD: We're getting right into the
10 meat of the subject now. Well, it was such a routine
11 run, Kevin. You know 131.310. He would look at it.
12 The only time -- he would sign the voyage plans as
13 required -- we would have a discussion is if we were
14 thinking about taking an alternate route due to
15 weather. In that situation where an alternate route
16 was going to be discussed, he listened at least to me.
17 He listened to me a lot.

18 MR. STITH: So along with that you would
19 constantly be tweaking or updating your voyage pretty
20 much every time depending on cargo operations and
21 whatnot.

22 MR. BAIRD: I don't know what you mean by
23 tweaking.

24 MR. STITH: Basically updating your
25 departure times, drafts, things of that nature. So you

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1 were constantly looking at your voyage plan as far as
2 that type of information.

3 MR. BAIRD: Yes, if we left late, I would
4 let them know what we would have to make for speed to
5 make our projected arrival time. And I would let him
6 know the probability of that because nine times out of
7 ten you're not going to make a certain speed. You're
8 going to make around 20.4. And if we need 22 knots to
9 make it to our projected arrival time we're not going
10 to make it. So we'd have to call San Juan ahead of
11 time to let them know we're going to be late.

12 MR. STITH: Okay. That's fine. I guess a
13 little bit along with that is in your experience on the
14 El Faro did you ever notice any push-back or
15 frustration or any other negatives concerning delays or
16 extra hours on your voyages, let's say, if you were
17 delayed? Or was it just a matter of notifying somebody
18 and that was that?

19 MR. BAIRD: You mean as far as if we were
20 delayed. It's just simple mathematics. If we leave
21 late, we're going to arrive late. And there's nothing
22 we can do about it. That's just the way it is.

23 MR. STITH: Okay.

24 MR. BAIRD: I don't know if I'm answering
25 your question.

1 MR. STITH: Okay. A little bit. I guess a
2 little bit more specifically with the voyage plans in
3 your recollection in particular with Captain Davidson.
4 He always reviewed his voyage plans and approved them.

5 MR. BAIRD: Right, he always signed the
6 voyage plans.

7 MR. STITH: Okay. I think those are all the
8 questions I have for voyage planning.

9 MR. BAIRD: Okay.

10 MR. KUCHARSKI: Charles, this is Mike
11 Kucharski again. I neglected to ask you early on. Did
12 you sail with Captain Davidson while he was master?

13 MR. BAIRD: Only with this company. Only
14 with TOTE Services.

15 MR. KUCHARSKI: Okay.

16 MR. BAIRD: I did not know him
17 professionally or personally before TOTE Services.

18 MR. KUCHARSKI: Okay. But you sailed under
19 Captain Davidson. The line of questions went to
20 Captain Davidson. But you sailed with him. He was
21 master on the --

22 MR. BAIRD: Right. He was master on the El
23 Faro.

24 MR. KUCHARSKI: -- El Faro.

25 MR. BAIRD: And I think for a little while

1 on the El Morro before it went down.

2 MR. KUCHARSKI: But you were second mate
3 under Captain Davidson.

4 MR. BAIRD: Right. Yes, second mate.

5 MR. KUCHARSKI: Did you sail one tour, if I
6 can call it that? What was the length of your tour by
7 the way?

8 MR. BAIRD: We did 70 days on and 70 days
9 off.

10 MR. KUCHARSKI: Seventy days on and 70 days
11 off.

12 MR. BAIRD: Yes.

13 MR. KUCHARSKI: Okay.

14 MR. BAIRD: So I probably sailed with him
15 maybe three times for various lengths of time because
16 we wouldn't be on the same schedule.

17 MR. KUCHARSKI: Right.

18 MR. BAIRD: But I bet you three times I
19 sailed with him.

20 MR. KUCHARSKI: And what other captains on
21 the El Faro did you sail with?

22 MR. BAIRD: Captain Eric Erickson.

23 MR. KUCHARSKI: Erickson?

24 MR. BAIRD: Erickson, yes.

25 MR. KUCHARSKI: Maybe Axelson?

1 MR. BAIRD: Axelson. Erickson. Eric
2 Axelson, yes.

3 MR. KUCHARSKI: And was there any other
4 captain you sailed with on the El Faro?

5 MR. BAIRD: Not on the El Faro, no. El
6 Faro, they were the two captains, Axelson and Davidson.

7 MR. KUCHARSKI: Did you sail with Kevin
8 Stith?

9 MR. BAIRD: Oh yes. Yes, I did. I'm sorry.
10 I'm sorry, Kevin.

11 MR. KUCHARSKI: In what capacity was Kevin?

12 MR. STITH: That's okay.

13 MR. BAIRD: Kevin was I think chief mate.

14 MR. KUCHARSKI: He was chief mate. Well, I
15 had asked you about master. So you sail with Kevin as
16 chief mate, okay.

17 MR. BAIRD: Yes, but it wasn't that long.
18 Kevin, maybe it was a month? Not much more than a
19 month.

20 MR. STITH: Yes, it was a month.

21 MR. KUCHARSKI: And the chief mate, was that
22 part of his responsibility to look at the voyage plans
23 or to sign the voyage plans?

24 MR. BAIRD: No, we put in myself and the
25 captain.

1 MR. KUCHARSKI: Would you say that the chief
2 -- Let me go back to your responsibilities. Sorry.
3 Would you also review any stability?

4 MR. BAIRD: I would receive the chief
5 officer's stability reports and I would usually enter
6 that into the ship's log for when we left the port.

7 MR. KUCHARSKI: And the stability report --
8 we'll come back and ask some stability questions if
9 pertinent -- was this a separate document from the
10 actual log sheet?

11 MR. BAIRD: Yes.

12 MR. KUCHARSKI: It was.

13 MR. BAIRD: It was a separate piece, a
14 separate sheet, with stating basically the stability of
15 the vessel leaving the port at the present cargo
16 capacity they were carrying and we would enter that
17 into the log before we left.

18 MR. KUCHARSKI: When you say enter it in,
19 would you actually put that information in the log or
20 would you attach the sheet to the --

21 MR. BAIRD: I would do both. I would enter
22 it by hand into the log and we'd staple a piece of
23 paper, a sheet, on both the copy that stays with the
24 ship and the copy that goes to the office. So we'd
25 have two copies for when we left.

1 MR. KUCHARSKI: You mentioned there may be
2 some changes in route to the voyage plan.

3 MR. BAIRD: Occasionally.

4 MR. KUCHARSKI: Occasionally.

5 MR. BAIRD: Yes.

6 MR. KUCHARSKI: And then were those -- was
7 the voyage plan actually modified and signed off on or
8 how was that handled? How were the changes handled?

9 MR. BAIRD: If we had a change --

10 MR. KUCHARSKI: Sorry. This is Mike
11 Kucharski if the transcriber doesn't know who this is.

12 MR. BAIRD: If we had a change it would be
13 weather related. That would be the only reason for us
14 to change. And I would draw up a new plan and it would
15 be signed by the master and we would follow that plan.

16 MR. KUCHARSKI: Okay. So you drafted a new
17 plan.

18 MR. BAIRD: Yes.

19 MR. KUCHARSKI: The voyage plan itself. Was
20 the information, waypoints or anything like that, were
21 they put in any other piece of equipment, electronic or
22 otherwise?

23 MR. BAIRD: The waypoints were all on the
24 GPS. We had two GPSes. And we would have all the
25 waypoints and the voyages on the GPS which that was

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1 part of my job to make sure the routes that we possibly
2 could take would be ready to go.

3 Sometimes the weather pops up at the last
4 minute and you want to change your plan and not go the
5 regular route, go the Old Bahama Channel or a different
6 route. So you didn't want to spend two hours under the
7 gun trying to get the charts corrected and get the
8 route made up.

9 So we would have that all done in advance.
10 All we had to do was just push a button and got a new
11 route.

12 MR. KUCHARSKI: Did you have any problem
13 putting those routes into the GPS units?

14 MR. BAIRD: No. It just takes initial time.
15 That's all. Once it's done, it's in.

16 MR. KUCHARSKI: Did the vessel have ECDIS?

17 MR. BAIRD: No.

18 MR. KUCHARSKI: Did it have any other
19 electronic form of charting system on there?

20 MR. BAIRD: No, just GPS and that was it.
21 We had three GPSes. One was the primary one. And
22 that's the one we used primarily. There was one that
23 was more in sight. So that was the one we always used
24 for positions.

25 MR. KUCHARSKI: Could you put any waypoints

1 on the radars themselves?

2 MR. BAIRD: Yes. We had all our waypoints
3 set for the routes.

4 MR. KUCHARSKI: For the routes.

5 MR. BAIRD: Yes.

6 MR. KUCHARSKI: Those were put on the
7 radars.

8 MR. BAIRD: Yes. The GPS would -- hopefully
9 everybody knows that I'm talking about -- interface
10 with the radar. So when I plug in a route the
11 waypoints would show up on the radar which is a very
12 good feature.

13 MR. KUCHARSKI: Stop general questions.
14 Carrie.

15 MS. BELL: Carrie Bell, NTSB. We were
16 talking about the signoff. If you made a modification
17 to a voyage plan -- say there was weather or there was
18 something that made you need to make a change in the
19 middle of the night or when maybe Captain Davidson was
20 asleep -- how do you go about getting those plans
21 approved? If he has to sign off, would you have to
22 wake him up or how does that work?

23 MR. BAIRD: We wouldn't alter our route
24 unless it was discussed. It wouldn't happen overnight.
25 He would be telling me. He would say, "Charlie, we

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1 have to go someplace else. We have to take a different
2 route. Can you make up an alternate route?" And I
3 would make it up.

4 MS. BELL: So there would never be a time
5 that you would need to make a change where you saw
6 weather was coming or something?

7 MR. BAIRD: I would recommend. I could
8 recommend that we do certain things. But it's his
9 decision whether to do it or not.

10 MS. BELL: So if you thought something
11 needed to be done and you needed to discuss it with
12 him, would you wake him up or go find him if he wasn't
13 on the bridge?

14 MR. BAIRD: I would personally.

15 MS. BELL: Okay.

16 MR. BAIRD: If it would be important, I
17 wouldn't just wake him up because there's a
18 thunderstorm ahead of us. It would be important.

19 MS. BELL: Okay. Thank you.

20 MR. BAIRD: Okay.

21 MR. RICHARDS: Mike Richards, NTSB. You
22 mentioned you had your own computer weather program. I
23 don't remember the phrase you used.

24 MR. BAIRD: The ship had a weather service
25 that we had the weather come in. I forget the exact

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1 name of the company. But we would get the weather and
2 we could superimpose our ship on the weather map to see
3 where we were in relation to different approaching
4 weather.

5 MR. RICHARDS: So that was my question.
6 Were you able to put your planned route into your
7 computer weather program?

8 MR. BAIRD: I always did. Now whether they
9 did I do not know, but I always --

10 MR. RICHARDS: For the El Faro?

11 MR. BAIRD: Yes, but I always did. That was
12 part of -- Before we left, I'd always plug in when we
13 were going to depart and what speed we were going to
14 make just so that we could keep track of where we were
15 in relation to weather.

16 MR. RICHARDS: Thank you.

17 MR. BAIRD: Okay.

18 MR. KUCHARSKI: Anyone on the phone have
19 questions?

20 MR. GRUBER: Yes, Tom Gruber with ABS.
21 Charlie, you said when you got the stability plan from
22 the chief mate, you entered it into the ship's log.
23 Did you also note the draft marks in the ship's log?

24 MR. BAIRD: Did I note what? What was that?

25 MR. KUCHARSKI: Draft marks.

1 MR. BAIRD: We would have one of the
2 officers go on the dock and read off the drafts. And
3 those would be our sailing drafts.

4 Sometimes if I was available, I'd go down
5 and get the drafts. But it would just be a matter of
6 who was available. Usually the chief mate would get
7 the drafts. He would walk the dock and phone them up
8 to the bridge or radio them up to the bridge. Is that
9 what you meant?

10 MR. GRUBER: Okay. But my question was did
11 you enter those into the ship's log with the stability
12 condition?

13 MR. BAIRD: Oh yes. The drafts would always
14 go at departure and arrival.

15 MR. GRUBER: Thank you, sir.

16 MR. BAIRD: All right.

17 MR. STITH: This is Kevin Stith with TOTE
18 Services. Charlie, a couple of questions along with
19 the stability drafts in the logbook. The stability,
20 how is that put into the DEP (phonetic) log?

21 MR. BAIRD: The way I would put it in would
22 be on the lower right section of the log with the GM
23 corrected and required in the margin. We'd also have a
24 stability report from the chief mate and I would staple
25 that to both copies of the daily log, the one we turn

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1 into the office and the one that stays on the ship.

2 MR. STITH: Okay. So pretty much --

3 MR. BAIRD: I would write in the stability
4 and I would also staple two copies, one for us and one
5 for the office from when we left.

6 MR. STITH: Okay. That's good. So
7 everybody would be able to see that stability printed
8 out and it was permanently or semi-permanently attached
9 to the logbook.

10 MR. BAIRD: Right.

11 MR. STITH: Okay. As far as the draft
12 readings, would you typically take draft readings on
13 the offshore side?

14 MR. KUCHARSKI: Hold on. Kevin, I don't
15 want to go down the line. Just log-keeping now please.
16 We have a lot of stability questions and we can go into
17 that and reading drafts. But let's just the
18 recordkeeping please.

19 MR. STITH: Okay. As far as recordkeeping,
20 I think that's all I have.

21 MR. KUCHARSKI: Keith, did you have a
22 question?

23 MR. FAWCETT: No, sir.

24 MR. KUCHARSKI: Okay. Go ahead.

25 MR. FURUKAWA: Sorry. Jon Furukawa, NTSB.

1 Charlie.

2 MR. BAIRD: Yes.

3 MR. FURUKAWA: I have a question about
4 sailing weight. Did you sail weight your arrival
5 (Inaudible) I thought the question was if there was
6 some kind of frustration or pushback. Was there any
7 frustration from either Captain Davidson or the company
8 on shoreside?

9 MR. BAIRD: We were always frustrated by
10 leaving late because then we couldn't make our arrival
11 time. And everybody has got to stay up later and it
12 messes up people's schedules. There would be no
13 pushback that I was aware of from the company because
14 it wasn't the ship's fault that we would leave late.
15 It was probably too much cargo or something broke down
16 on the shoreside end of it or something happened on the
17 ship side that would keep us from leaving on time. But
18 there was no pushback that I was aware of.

19 MR. FURUKAWA: Okay. The next question was
20 in the three times that you sailed with Captain
21 Davidson or that you sailed with TOTE did you ever have
22 to change the voyage route due to weather?

23 MR. BAIRD: Yes, I did.

24 MR. FURUKAWA: Okay. Can you tell me about
25 that?

1 MR. BAIRD: Okay. The one that comes to
2 mind right away is I think two or three weeks before
3 Joaquin came through there was another disturbance.
4 And I went to Captain Davidson and recommended we take
5 an alternate route to San Juan. And I told him my
6 reasons why. And he went along with it and we went the
7 Old Bahama Channel route which is a longer route, but
8 it's safer. And we went that route, the Old Bahama
9 Channel, as opposed to the regular route.

10 MR. FURUKAWA: Okay. And no pushback. It
11 was well received or how was it?

12 MR. BAIRD: When I recommended it, it was
13 well received.

14 MR. FURUKAWA: Okay.

15 MR. BAIRD: I explained why I thought it was
16 a good idea to go the longer route. And he concurred
17 with what I thought.

18 MR. FURUKAWA: And as a subordinate, would
19 you as the second mate be intimidated by Captain
20 Davidson by his personality or would the captain be
21 mentoring, friendly or receptive to your
22 recommendations?

23 MR. BAIRD: I don't know how he related with
24 others, but whenever I dealt with him he was always
25 forthcoming and he would listen. Now whether he

1 listened to somebody else I cannot say.

2 MR. FURUKAWA: Okay. Thank you very much,
3 Charlie. That's all I have, Mike.

4 MR. KUCHARSKI: Okay. And just again a
5 little bit off. I would like if you could ask human
6 type interest question. But I would like to keep it in
7 on track with the recordkeeping right now. We'll ask
8 questions on drafts and things like that and more on
9 weather and weather routing, just to put everyone at
10 ease a little bit. I'd just like to get us back on
11 track with the recordkeeping.

12 Let me ask you. Did you have a list of
13 bridge publications? Or did you have bridge
14 publications on there?

15 MR. BAIRD: Yes.

16 MR. KUCHARSKI: Did you also keep those up?

17 MR. BAIRD: Yes, they were all kept up to
18 date with the least local notice to mariners.

19 MR. KUCHARSKI: Okay.

20 MR. BAIRD: Our procedure would be when we
21 got to port after we docked I would download the most
22 recent notice to mariners that came out once a week.
23 And then I wouldn't have time to correct it then
24 because we're doing cargo. But when we left port on
25 the way to San Juan I would have three days and I'd

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1 correct whatever had to be corrected on the way down.

2 MR. KUCHARSKI: Anything else on the general
3 voyage planning or?

4 MR. FAWCETT: Yes, Keith Fawcett, Coast
5 Guard. Charlie, now you made the voyage plan in concert
6 with the captain in general, correct?

7 MR. BAIRD: Right.

8 MR. FAWCETT: Was there any predeparture
9 meeting with engineering staff to talk about -- and I'm
10 talking in general -- the engineering plan or any of
11 the associated gear and how that relates to going down
12 on the voyage?

13 MR. BAIRD: None that I was involved in. If
14 there was a problem, the captain and the chief engineer
15 would sit down probably like we're doing right now and
16 say, "Hey, we've got problems with this or that." But
17 I would not be included in that.

18 MR. FAWCETT: So you might not have been
19 included in -- and I'm talking once again in general --
20 the discussions, but how they affected the ship on the
21 trip down. For example, did the cargo load or the trim
22 or that or any issues with the engineering plan? So
23 the captain and the chief mate or the captain and the
24 engineer have a discussion and they go "Hey, when you
25 make your voyage plan keep this in mind."

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1 MR. BAIRD: No.

2 MR. FAWCETT: Okay. Thank you.

3 MR. BAIRD: Okay.

4 MR. KUCHARSKI: Recordkeeping. Which plans
5 in general? Sorry. This is Mike Kucharski for the
6 record.

7 (No verbal response)

8 Okay. Charlie, I would like to now bring it
9 into cargo related type, stability and the question was
10 asked about drafts. Let's bring it in there please.

11 Kevin, since I cut you off before, why don't
12 you go ahead and ask your questions on the drafts now,
13 the draft ratings, if you want to?

14 MR. STITH: Okay. Kevin Stith, TOTE
15 Services. Thanks for all the information, Charlie. It
16 is a big help. I was asking about the draft ratings.
17 I know from my experience on the El Faro that you would
18 typically be on the stern or on the stern during the
19 completion of cargo. What were your general practices
20 as far as draft ratings or any one of the measurement
21 states after cargo?

22 MR. BAIRD: Well, after cargo I probably
23 would get a salinity and I would get the offshore
24 midship's draft. The chief mate would get the drafts
25 from the dock, the bow, midship and stern. And I would

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1 get the salinity and the offshore midship's draft.
2 That's what I would normally do.

3 MR. STITH: That's good. Could you describe
4 the process of determining salinity and how you would
5 get your offshore drafts, namely midship drafts?

6 MR. BAIRD: All right. The salinity I would
7 have to get a sample of the water and we had a
8 hygrometer it's called which would tell us the salinity
9 of the water.

10 As far as getting the offshore drafts, in
11 the summertime it was an easy chore. But in the winter
12 due to the configuration of the El Faro, it was a pain.
13 In the darkness, when the darkness set in, it was hard
14 to see it a lot of times. I would have to ask the tugs
15 if they could see the draft.

16 But I would have to sometimes guesstimate
17 what the draft was. There was no opening on the second
18 deck to see the draft marks from midship. I would have
19 to go to the main deck. And in the wintertime when the
20 sun goes down it would be hard to get sometimes.

21 MR. STITH: Okay. And in your experience on
22 the El Faro, you or the chief mate or the third mate,
23 one of the mates, would do the standard practice to
24 take the drafts, report them to the bridge and get the
25 salinity every time.

1 MR. BAIRD: Just in Jacksonville. We would
2 worry about the salinity just in Jacksonville. But the
3 chief mate would usually always get the drafts for and
4 aft. And in Jacksonville, like I said, I would get the
5 salinity and the offshore midships. We weren't worried
6 about the drafts so much in San Juan because we were
7 always leaving in light.

8 MR. STITH: Okay. Those are the questions
9 that I have. Thanks, Charlie.

10 MR. BAIRD: Okay.

11 MR. KUCHARSKI: Around the room on taking of
12 draft marks?

13 MR. FAWCETT: Keith Fawcett, Coast Guard.
14 Just help me understand what you mean by guesstimate.

15 MR. BAIRD: Well, at nighttime and your
16 flashlight is a little weak, you have to lean over the
17 side and it's 30 feet down to see a draft mark, be it
18 30 feet or 29 feet. I guesstimate on that. Sometimes
19 you're flashing your light down there and there's a
20 reflection off the water. It might look like 30 feet,
21 but it's really 29.9 or something like that. It could
22 be off. So you have to kind of I've done this before
23 and you can get pretty close. But it might not be
24 exact.

25 MR. FAWCETT: Did you ever ask the tugs or

1 the pilot boat to give you the exact reading?

2 MR. BAIRD: Oh yeah.

3 MR. FAWCETT: Thank you.

4 MR. BAIRD: Okay.

5 MR. KUCHARSKI: On the phone, are there any
6 more questions on draft marks, reading the draft marks?

7 MR. FURUKAWA: Not from Jon.

8 MR. GRUBER: Nothing from Tom.

9 MR. KUCHARSKI: This is Mike Kucharski back.
10 You mentioned there's no opening on the second deck to
11 read the draft marks on the port side.

12 MR. BAIRD: On the port side.

13 MR. KUCHARSKI: Was there an opening on the
14 starboard side?

15 MR. BAIRD: Yes, just the way the ship was
16 probably reconfigured due to 9/11 where they welded in
17 some plates to permanently I guess block off access to
18 the ship. And on the port side because we always went
19 starboard side, too, they were more concerned of the
20 port side which would have been the offshore side.

21 MR. KUCHARSKI: Okay. So there were plates
22 inserted on the port side.

23 MR. BAIRD: Yes.

24 MR. KUCHARSKI: After 9/11.

25 MR. BAIRD: Steel plates.

1 MR. KUCHARSKI: Steel plates.

2 MR. BAIRD: Yes.

3 MR. KUCHARSKI: Would it have been easier to
4 see it if those plates weren't in there to look over
5 the side?

6 MR. BAIRD: Yes.

7 MR. KUCHARSKI: Were you on board before
8 they put those plates in?

9 MR. BAIRD: No, that was done before me.

10 MR. KUCHARSKI: Why would you say that it
11 would be easier if you'd never done it?

12 MR. BAIRD: Instead of being 40 feet off the
13 drafts marks you'd be maybe 10 feet off the draft
14 marks. You could just look over the side and see it
15 instead of being up on the upper deck looking down.
16 It's like trying to see what's written on the wall from
17 the roof as opposed to right over here. You're closer
18 to the marks.

19 MR. KUCHARSKI: Okay. I'll stop there. Any
20 follow-on questions regarding draft marks?

21 MR. STOLZENBERG: This is Eric on the phone,
22 NTSB. Mr. Baird -- and, Mike, stop me if this is the
23 wrong thing -- just curious if there was any difference
24 between the cargo draft marks and observed draft marks.

25 MR. BAIRD: Occasionally there would be. It

1 would never be exactly right on. I did not get
2 involved with the cargo marks that much. I would be
3 more taking actual visual draft marks. But it would
4 never be exactly the same. Very seldom. I don't know
5 if that's an answer.

6 MR. STOLZENBERG: Okay. Thank you. Is
7 there a place where the salinity or the water density
8 is recorded for every day, day in and day out?

9 MR. BAIRD: Not on the El Faro. I had to
10 get a bucket and throw it over the side and get a
11 sample of the water that way. And we'd only do it when
12 we were done cargo.

13 MR. STOLZENBERG: Understood. And I'm just
14 curious. Where is that written down? Where would I
15 find the salinity?

16 MR. BAIRD: We would put it in the lower
17 right-hand -- Well, I told you we would do it. It
18 would be putting it in the lower right-hand corner of
19 the daily log along with the saline drafts. That's
20 where we would put it. We would put the salinity in.

21 MR. STOLZENBERG: Okay. Thank you. Along
22 the same lines, the low line mark on the side of the
23 haul for departure from Jacksonville, do you recall the
24 highest you've ever seen that mark submerged?

25 MR. BAIRD: It would have been around 30

1 feet, right around that, because you couldn't read it
2 higher than 30 feet or deeper than 30 feet. So it
3 would have been 30 feet probably.

4 MR. STOLZENBERG: And which mark would you
5 have been reading in that recollection?

6 MR. BAIRD: That would have been --

7 MR. STOLZENBERG: The center?

8 MR. BAIRD: That probably would have been
9 midship's.

10 MR. STOLZENBERG: And which side midship's?

11 MR. BAIRD: Port side.

12 MR. STOLZENBERG: Okay. Thank you.

13 MR. BAIRD: And you're asking me like the
14 deepest I might have ever seen it. And a lot comes
15 into consideration with that. The ship had a list.
16 It's going to show a little deeper and the salinity of
17 the water at the time is going to affect how deep it
18 shows. But I don't recall ever seeing anything more
19 than 30 feet.

20 MR. STOLZENBERG: Okay. Thank you. And
21 more about the list, do you know if there's a
22 (Inaudible) list on the vessel when nearing completion
23 of the load or at departure from Jacksonville?

24 MR. BAIRD: Well, we try to keep it as flat
25 as possible. If they sailed at the list it wouldn't be

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1 more than a half of degree. A one degree list would be
2 out of the ordinary.

3 MR. STOLZENBERG: Did the El Faro to your
4 recollection list to one side or the other more
5 naturally?

6 MR. BAIRD: It seemed to favor the port
7 side. In my recollection, she would favor a port side
8 list.

9 MR. STOLZENBERG: Thank you very much, Mr.
10 Baird.

11 MR. BAIRD: Great.

12 MR. KUCHARSKI: Around the room?

13 (No verbal response)

14 This is Mike Kucharski back. Did someone
15 each and every time take an offshore draft when sailing
16 to Jacksonville?

17 MR. BAIRD: I would.

18 MR. KUCHARSKI: Did you ever use a pilot
19 ladder to go over there and look at the drafts?

20 MR. BAIRD: No.

21 MR. KUCHARSKI: So each and every time when
22 you were on board --

23 MR. BAIRD: When I did it, it was a visual.

24 MR. KUCHARSKI: It was a visual.

25 MR. BAIRD: Yes.

1 MR. KUCHARSKI: You never used the
2 (Background noise) to guesstimate what the offshore
3 was?

4 MR. BAIRD: No, I'd get a visual.

5 MR. STITH: This is Kevin Stith with TOTE
6 Services. Mike, can I ask some stability or list
7 questions here?

8 MR. KUCHARSKI: Sure. Because I have some
9 to ask also. But go ahead. Shoot please.

10 MR. STITH: Kevin Stith with TOTE Services.
11 Charlie, in your experience or recollection on the El
12 Faro, could you describe if there was a list how that
13 could be corrected either through ballast or if you had
14 communications with the dock as far as cargo? If you
15 could just touch on those two types of or two methods
16 of correcting list how it was handled on the El Faro.

17 MR. BAIRD: All right. If we had an
18 excessive list, we have what they call ramp tanks in
19 the stern. There's a port ramp tank and a starboard
20 ramp tank. And if we had an excessive port list, we
21 would put water in the starboard ramp tank and the
22 opposite if we had the starboard list.

23 We could also near the end of -- We were
24 always in communication with the dock to make sure that
25 they didn't load us on the wrong side. So we could

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1 help get rid of the list by cargo being placed on the
2 side which would help us with our list. Is that what
3 you mean?

4 MR. STITH: Okay. Along with those ramp
5 tanks, who would typically handle pumping the water or
6 transferring it? How was that monitored?

7 MR. BAIRD: The engineers would line it up
8 down in the engine room and usually the captain would
9 call it from the bridge when he was happy with the
10 trim. When he saw it as being level, then he would
11 call down to finish with ballast. From where I would
12 be on the second deck or main deck, you can't really
13 tell as good as you could from the bridge the list of
14 the ship.

15 MR. STITH: Okay. So in particular the
16 captain or specifically Captain Davidson, would you say
17 that that's something that was a priority for him or
18 that he wanted to be consistently monitoring?

19 MR. BAIRD: Well, he kept an eye on the
20 list. If it was too excessive, he would use those ramp
21 tanks or have the chief mate call the shore people to
22 put cargo where it would be best for the vessel.

23 MR. STITH: Okay. So you would say that
24 he's pretty involved in how the ship was loaded and its
25 stability conditions. He was pretty involved with

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1 that.

2 MR. BAIRD: Yeah, I would say so, Kevin at
3 least when he sailed with me.

4 MR. STITH: Okay. That answers my
5 questions. Thanks.

6 MR. BAIRD: Okay.

7 MR. KUCHARSKI: Anyone else on the phone?

8 MR. FURUKAWA: Jon Furukawa, NTSB. Charlie,
9 you said that you would test salinity in port. Was
10 that always done?

11 MR. BAIRD: It was always done in
12 Jacksonville.

13 MR. FURUKAWA: Okay. Was the salinity
14 varying much in Jacksonville?

15 MR. BAIRD: Yes, it would vary with the
16 tides as opposed to San Juan. It was always salt
17 water. There's very little tide there. But
18 Jacksonville you had the current from the river.

19 MR. FURUKAWA: Okay.

20 MR. BAIRD: And usually with the incoming
21 tide the water was salty than the other way around.
22 But it always changed.

23 MR. FURUKAWA: And that was the routine test
24 that was done every time.

25 MR. BAIRD: Yes, it was routine for us to

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1 get a salinity when we left Jacksonville.

2 MR. FURUKAWA: Okay. Thank you very much.
3 That's all for Jon.

4 MR. KUCHARSKI: This is Mike Kucharski
5 again. On your cargo watch when the ship came in port,
6 did you ever turn any of the ventilation fans on or
7 off?

8 MR. BAIRD: Yes, it was part of my duties.

9 MR. KUCHARSKI: It was part of your duties.
10 How about opening up the watertight doors?

11 MR. BAIRD: Yes, I would open up the doors,
12 hatches, scuttles as they call them and turn the fans
13 on.

14 MR. KUCHARSKI: And how about leaving port?
15 Did you shut any of those down or?

16 MR. BAIRD: Leaving port I would, if we were
17 finished with cargo, close the fans and usually we
18 would not close the scuttles right away in case there
19 was a longshoreman down below in the lower holes.
20 Sometimes they would go down to get numbers off
21 different cargo. So the bosun would secure those as we
22 left. But watertight doors would always be closed
23 before we left the dock.

24 MR. KUCHARSKI: Watertight doors being the
25 large --

1 MR. BAIRD: The large doors.

2 MR. KUCHARSKI: -- doors. And was there a
3 panel for these large watertight doors?

4 MR. BAIRD: Yes, there was a panel that
5 would show whether a door was open or closed.

6 MR. KUCHARSKI: And where was that panel?

7 MR. BAIRD: That was on the main deck. I
8 guess you would call it the fire control room.

9 MR. KUCHARSKI: In the fire control room on
10 the main deck.

11 MR. BAIRD: Yes.

12 MR. KUCHARSKI: Inside the house was it?

13 MR. BAIRD: Yes, inside the house.

14 MR. KUCHARSKI: Was there any indication on
15 the bridge if a watertight door is opened or closed?

16 MR. BAIRD: I'm not -- Geez, I don't recall
17 that. There probably was, but we never -- I want to
18 say no, not on the bridge.

19 MR. KUCHARSKI: Now along with the
20 watertight doors leaving port, so the large ones were
21 closed. Did you close those yourself?

22 MR. BAIRD: I would close them or whoever
23 was on watch at the time. Different doors would be
24 closed at different times of the cargo operation. If
25 you were done in a certain hold, we would usually close

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1 up that door and then move along to the next hold.

2 MR. KUCHARSKI: And then at the end of the
3 voyage -- Before the ship sailed, was there some kind
4 of a log entry made that the watertight doors were
5 closed?

6 MR. BAIRD: Yes, it would have been in the
7 bottom. I want to say bottom right again. All
8 watertight doors were secured for sea.

9 MR. KUCHARSKI: And we've mentioned a number
10 of times the logbook. Was there an official logbook
11 that would have looked yellow and red, an official
12 logbook that you know that the captain kept?

13 MR. BAIRD: The captain had an official
14 logbook. But I rarely saw that. Just no reason for me
15 to see that. I worked with the regular deck logbook,
16 the day to day log.

17 MR. KUCHARSKI: So you never saw any of the
18 entries in the official logbook.

19 MR. BAIRD: No, I couldn't. Like I said, I
20 may have seen the logbook on his desk, but I never saw
21 any of the entries.

22 MR. KUCHARSKI: The dampers, you mentioned
23 dampers around the decks. You opened up dampers when
24 the ship came in as part of your I guess call it
25 preparation.

1 MR. BAIRD: Yes, the dampers would be for
2 the cargo fans. When you turn the fans on, you'd
3 better make sure they're open because you'll know about
4 it.

5 MR. KUCHARSKI: And then when you secured
6 that particular -- closed the watertight doors you
7 mentioned in the hold on your cargo watch when they
8 finished in a certain area, did you also shut off the
9 ventilation fans there, too?

10 MR. BAIRD: We would shut the fans off when
11 we were done with the cargo hold. Sometimes they would
12 leave them on at a low speed just to keep air
13 circulating. But the general practice is we'd shut the
14 fans off.

15 MR. KUCHARSKI: And then close the dampers
16 also?

17 MR. BAIRD: No, those would be open.

18 MR. KUCHARSKI: Those would be open, okay.

19 MR. BAIRD: Yes.

20 MR. KUCHARSKI: You also mentioned about
21 closing scuttles.

22 MR. BAIRD: That would be done by the bosun
23 or one of the ABs after we were sure everybody was
24 ashore.

25 MR. KUCHARSKI: And just to be clear, when

1 you say that you closed them and there was something
2 put up in the logbook about watertight doors being
3 closed, are we talking about the large watertight doors
4 being closed?

5 MR. BAIRD: Yes. We would put in the log
6 usually all watertight doors secured for sea. I'm sure
7 we mentioned scuttles. It was like a generic entry
8 when you left port. All watertight doors and scuttles
9 secured for sea because they would be.

10 MR. KUCHARSKI: Did you ever -- when we're
11 talking about watertight doors -- go into the holds at
12 sea?

13 MR. BAIRD: Yes, quite often.

14 MR. KUCHARSKI: Sorry. I have to have you
15 say this. This is like a --

16 MR. BAIRD: Yes, we would go.

17 MR. KUCHARSKI: Okay. So you went into the
18 holds. How did you get into the holds at sea?

19 MR. BAIRD: Through the scuttles I guess you
20 would call it, the small hatches, for various reasons
21 to inspect the cargo or doing repair work or whatever
22 you'd have to go down.

23 MR. KUCHARSKI: Did you go and inspect the
24 cargo as part of your duties at sea?

25 MR. BAIRD: If asked.

1 MR. KUCHARSKI: If asked.

2 MR. BAIRD: Yes, usually that would be the
3 chief mate going around and making sure everything was
4 -- But if he was busy, then I'd make a round to make
5 sure everything was tight.

6 MR. KUCHARSKI: When those scuttles were
7 opened, did you notify the bridge that you opened a
8 scuttle?

9 MR. BAIRD: No, I wouldn't. I would just --
10 It would be known that I was going in and I would open
11 and I would close when I came out. But as far as
12 notifying, no.

13 MR. KUCHARSKI: When you were on watch on
14 the bridge, did anyone ever call you and tell you that
15 they were opening up a scuttle to go into the hold?

16 MR. BAIRD: Occasionally.

17 MR. KUCHARSKI: Occasionally.

18 MR. BAIRD: Yes.

19 MR. KUCHARSKI: Charlie, when you walked
20 around the decks, did you walk around the decks at sea?

21 MR. BAIRD: Yeah. Well --

22 MR. KUCHARSKI: Did you ever -- Sorry.

23 MR. BAIRD: Which? You mean main deck?

24 MR. KUCHARSKI: Main deck. Second deck.

25 MR. BAIRD: Yeah.

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1 MR. KUCHARSKI: Did you ever see the
2 watertight doors on the house to the fidley, and I'll
3 say the fidley, between the second deck and the main
4 deck? From the second deck there's a ladder that goes
5 up into the house.

6 MR. BAIRD: Yeah.

7 MR. KUCHARSKI: Both forward of the house
8 and after the house. They're watertight, man-sized,
9 not a scuttle, but a watertight, man-sized doors with
10 dogs on it. Have you ever seen that open at sea?

11 MR. BAIRD: That would go right into the
12 engine room.

13 MR. KUCHARSKI: Yes, the top of the engine
14 room.

15 MR. BAIRD: They would be opened.

16 MR. KUCHARSKI: They would be opened. Would
17 that be opened most of the time or?

18 MR. BAIRD: In my recollection, they would
19 be open most of the time.

20 MR. KUCHARSKI: How about after steering?
21 You know there's a way to access from the second deck
22 into after steering and back into number five hold.
23 There's a little house there.

24 MR. BAIRD: That would be open occasionally,
25 but usually it would be secured.

1 MR. KUCHARSKI: Usually secured.

2 MR. BAIRD: Yeah.

3 MR. KUCHARSKI: Okay. Let me stop there and
4 see if there are any questions regarding that. On the
5 phone?

6 MR. STOLZENBERG: Eric Stolzenberg, NTSB.
7 Earlier Mike asked you about dampers into the
8 ventilation into the cargo holds. And it's just not
9 clear to me exactly what dampers we're talking about.
10 Are these labeled fire dampers? When we walked around
11 the El Yunque on the second deck, we see the term fire
12 dampers on many of the ventilation. I understand that
13 to be the ventilation trucks down to the holds.

14 MR. BAIRD: Yes, that would be the same as
15 you're talking about yes. Those are the functions of
16 the fire dampers for each. They call them fire
17 dampers. They're the dampers for each fan.

18 MR. STOLZENBERG: And you described earlier
19 that they were closed at some point. It wasn't clear
20 to me.

21 MR. BAIRD: We would open -- I would open
22 and close them as part of our monthly inspection to
23 make sure everything worked. They were normally in the
24 open position.

25 MR. STOLZENBERG: Okay. Thank you. And

1 then to follow up on that and I hope I'm not getting
2 off track -- Mike can tell me -- have you ever seen or
3 did you ever close those for heavy weather on the El
4 Yunque or the El Faro?

5 MR. BAIRD: No, I did not. They would
6 always be open.

7 MR. STOLZENBERG: And then going back to the
8 engine door and some of the other items you said might
9 remain open underway, to your recollection were any of
10 those closed? Mike had mentioned the engine room door
11 and the aft deck. Do those close for heavy weather?

12 MR. BAIRD: That would be up to the
13 individual chief engineer. But for the most part, they
14 were left open. To have any egress of water in there,
15 there would have to be 10 feet of water before it would
16 get through that door. You're talking a substantial
17 amount.

18 MR. STOLZENBERG: Okay. I don't want you to
19 respond to more than you know. So I appreciate that.
20 That's all. Thank you.

21 MR. BAIRD: Okay.

22 PARTICIPANT: Do you need a break?

23 MR. BAIRD: I could use some water.

24 PARTICIPANT: Let's take a break if we can
25 and get a little water.

1 MR. BAIRD: Okay.

2 MR. KUCHARSKI: Mike Kucharski. It's 10:27
3 a.m. We're going to stop the recording and go off the
4 record.

5 (Whereupon, a short recess was taken.)

6 MR. KUCHARSKI: On the record. This is Mike
7 Kucharski again. And we've come back from our break.
8 The time is now 10:40 a.m. And we're going to continue
9 the interview with Mr. Baird.

10 Charlie, I had a follow-up question when you
11 mentioned about you'd have to see 10 feet of water on
12 the second deck to basically get up into the doors
13 leading up to the engine room there. In your time on
14 the El Faro and the El Morro -- those are the two ships
15 you were on, the SeaStar ships -- did you ever see any
16 water seas come onto the second deck area?

17 MR. BAIRD: Yes.

18 MR. KUCHARSKI: You did.

19 MR. BAIRD: On the El Morro, I'd seen that
20 more than once.

21 MR. KUCHARSKI: On the El Morro, you saw it
22 more than once a sea come on the deck, not spray. But
23 you saw a sea come on.

24 MR. BAIRD: Correct, yes.

25 MR. KUCHARSKI: And where do those seas

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1 generally come in from or can you tell us where you saw
2 the seas come in from?

3 MR. BAIRD: They'll come in from, on the El
4 Morro, the openings when they take on fuel. They call
5 it bunkering. There's an opening there. And there's
6 openings at different points all along that second
7 deck. And if you got into really rough weather -- It
8 didn't happen often. Usually I'd only seen it maybe
9 three times when we were avoiding hurricanes. And
10 nobody could go on the second deck. There was too much
11 water.

12 The drainage on the second deck is not much,
13 just a little scupper holes. I've seen it where you
14 couldn't go down there.

15 MR. KUCHARSKI: Did the captain ever say
16 nobody on the second deck?

17 MR. BAIRD: Oh yeah.

18 MR. KUCHARSKI: He did?

19 MR. BAIRD: Yes.

20 MR. KUCHARSKI: Okay.

21 MR. BAIRD: This is in the old days. This
22 is El Morro. I've never seen -- I never saw waters on
23 deck with the El Faro. Just for the couple of years
24 it's been nice weather. It's been a light hurricane
25 season the last couple of years. And we just haven't

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1 experienced it, but the El Morro we did.

2 MR. KUCHARSKI: Charlie, are you familiar
3 with the second deck, the shape, how the after part
4 comes towards the house and then the forward part comes
5 towards the house, how the decks are sort of sloped?

6 MR. BAIRD: I know everything about those
7 ships.

8 MR. KUCHARSKI: Okay.

9 MR. BAIRD: Yes. It looks like an aircraft.
10 They'll think we're a converted aircraft carrier a lot
11 of times.

12 MR. KUCHARSKI: I'll tell you about that off
13 the record. I've actually made that statement.

14 So the shape where it came down towards the
15 house, would you see water collect down in that area?

16 MR. BAIRD: Minor amounts because the upper
17 decks some drains would be draining into that second
18 deck. And that's where the water would just from
19 rainwater and stuff. If you're referring to times when
20 we really had rough weather, that's where the bulk of
21 the water would congregate right there.

22 MR. KUCHARSKI: Let me stop there. Are
23 there any follow-on questions on water on deck?
24 Anybody on the phone?

25 MR. STITH: This is Kevin Stith with TOTE

1 Services. I actually have some follow-up questions
2 from what we were talking about before the break about
3 the ventilation fans. And I don't know if we've
4 touched on the manholes or the scuttles yet. But I had
5 a couple of questions there.

6 MR. KUCHARSKI: Okay, Kevin. Let me just
7 hold. I'll bring you right back in. Any questions on
8 water on the second deck?

9 (No verbal response)

10 No one in the room, okay. Kevin, go. Go
11 with your questions about scuttles.

12 MR. STITH: Okay. Kevin Stith, TOTE
13 Services. Again, Charlie, just asking about the
14 ventilation fans. Typically, were any of those running
15 while you were underway? Let's say for example in
16 Puerto Rico either one side or either high speed/low
17 speed. Could you just describe what you know about
18 that?

19 MR. BAIRD: Yes, certainly. Depending on
20 the chief mate, they would put the fans on low.
21 Usually we would be going southbound from Jacksonville
22 to San Juan. They would be the starboard side fans on
23 low just to have air circulating in the lower holds.

24 And then the northbound voyage, they would
25 do the opposite and have the port side fans on low just

1 for the same reason, just to keep air moving in the
2 holds. But, yes, they would have, depending on the
3 chief mate, fans on low going southbound and
4 northbound.

5 MR. STITH: Okay. Thank you. In your
6 duties as second mate with the cargo holds and
7 underway, would you typically do any of the work going
8 into the cargo holds like on a routine basis like
9 soundings or anything like that?

10 MR. BAIRD: Yes, I would soundings once a
11 week. But I would go down through the scuttle holes.
12 It's not the big, watertight doors. I would just do my
13 soundings.

14 MR. STITH: Right.

15 MR. BAIRD: Though the small doors, through
16 the small hatches.

17 MR. STITH: So when you went down below the
18 decks, below the second decks, to take soundings would
19 you put any more fans on or increase the speed just to
20 increase air circulation especially during the summer
21 months?

22 MR. BAIRD: Yeah, if I was going down into a
23 hole, a lot of times I'd put the fan from low to high
24 while I was down there.

25 MR. STITH: Okay. So if we could just talk

1 a couple of minutes about what you would do when you
2 went down through the manhole or the scuttle.

3 Basically, were there any standard procedures or a
4 process that you would use when you went down as far as
5 opening or securing or how you usually did that?

6 MR. BAIRD: I would just personally -- The
7 chief mate knew what day I was going to do my
8 soundings. It was usually the day after we left
9 Jacksonville. And I would just get my gear and open the
10 scuttle to the lower hold where the sounding tube was
11 and just go down. And when I came back up I would
12 resecure the scuttle hole there and go onto my next
13 sounding point.

14 MR. STITH: Were there any types of signs or
15 anything there that you used to indicate that you were
16 going down?

17 MR. BAIRD: We had wooden signs that let
18 people know that there was a man below so they didn't
19 close the scuttle on him when he was down below.

20 MR. STITH: I just have two very simple
21 questions about scuttles. From your recollection, what
22 type of mechanism was on the scuttles or manholes to
23 secure them?

24 MR. BAIRD: I don't know what you would call
25 it. It was a round wheel to secure the scuttles.

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1 MR. STITH: So it was like a hand wheel and
2 then you would actuate dogs on the underside.

3 MR. BAIRD: That's correct. That would be a
4 handwheel. You were right. They called them dogs.
5 And that's how the hatch would be secured to the
6 scuttle itself, the combing I guess.

7 MR. STITH: Very good. And from your
8 recollection or your knowledge or experience on the El
9 Faro, all of those scuttles or manhole covers and
10 securing mechanisms were in good operating condition.
11 All seemed to work well.

12 MR. BAIRD: Yes, when I was there they were
13 all working good and they were in much better shape
14 than the El Morro's were. They were very good, very
15 good condition in my opinion.

16 MR. STITH: Okay. Right. I have a
17 question. If you were below the second deck and
18 climbing the ladder and the hatch was closed or
19 secured, would you say it was difficult? Or how would
20 you describe opening it? Would it be easy or
21 difficult? Or was the hatch heavy or light? If you
22 could just describe that.

23 MR. BAIRD: All right. If I was down below
24 and somebody closed the hatch on me and secured it, I
25 wouldn't be happy. It would be --

1 MR. STITH: I understand.

2 MR. BAIRD: It's difficult to open it. And
3 the hatch itself is heavy. Maybe 35 to 50 pounds with
4 a hatch that you have to push up to get out. It can be
5 done, but it's difficult.

6 MR. STITH: Okay. Those are my questions for
7 those two items. Thank you.

8 MR. KUCHARSKI: Anyone else on the phone?
9 Questions?

10 MR. FURUKAWA: Jon Furukawa. Charlie, you
11 said when you're going southbound you'd have the
12 starboard side fans on low.

13 MR. BAIRD: That's correct.

14 MR. FURUKAWA: Charlie, it's Jon Furukawa,
15 NTSB. When you're southbound, the starboard side fans
16 would be on low and northbound would be the port side.

17 MR. BAIRD: That would be the normal way we
18 would do it depending the chief mate.

19 MR. FURUKAWA: Was that because the supply
20 side was on the windward side or the leeward side or
21 was it just to alternate?

22 MR. BAIRD: It was just the way we
23 alternated it. We put one side fan on one way and the
24 other side the other way.

25 MR. FURUKAWA: Okay. When you're southbound

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1 with the fans on the starboard side, was that normally
2 the windward side or the leeward side or did it vary?

3 MR. BAIRD: Normally, southbound that would
4 be the leeward side.

5 MR. FURUKAWA: Okay. And then the same
6 thing for the northbound side?

7 MR. BAIRD: On the northbound run, that
8 would be the windward side. The starboard side going
9 south would be the leeward side and then the starboard
10 side going north would be the windward side.

11 MR. FURUKAWA: Okay. But the port side going
12 northbound that was the leeward side also.

13 MR. BAIRD: Yes.

14 MR. FURUKAWA: Pretty much all were on the
15 leeward side.

16 MR. BAIRD: Yes.

17 MR. FURUKAWA: And did you ever see the fans
18 secured at sea?

19 MR. BAIRD: As I said before, depending on
20 the chief mate. Some of the chief mates did not want
21 to have the fans running all the time.

22 MR. FURUKAWA: But certain chief mates would
23 have the fans on going southbound at low just so they'd
24 move air. But other chief mates would turn the fans
25 off whenever we left the dock. That would be it until

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1 we got to the next discharge place.

2 MR. FURUKAWA: Did you ever serve as chief
3 mate on the voyage with the El Faro?

4 MR. BAIRD: No.

5 MR. FURUKAWA: Okay. So even though if he
6 was one of the chief mates that prefers to be left on
7 or secured at sea?

8 MR. BAIRD: I don't understand your
9 question. If who was -- Who are you referring to?

10 MR. FURUKAWA: The chief mate that was on
11 the voyage of the El Faro when she sank.

12 MR. BAIRD: Oh, I have no idea what he did.
13 I only sailed with him weeks, a couple of weeks at a
14 time. I don't know if he followed the protocol from
15 the previous chief mates or if he did not. I don't
16 know.

17 MR. FURUKAWA: That's all for me. Thank
18 you, Charlie.

19 MR. BAIRD: Okay.

20 MR. KUCHARSKI: Anyone else on the phone?

21 (No verbal response)

22 Okay. Open it up in the room. Questions?

23 MR. FAWCETT: Keith Fawcett. Charlie, a
24 follow-up. Was it a ship's routine to take the
25 soundings the first day out of Jacksonville going

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1 south?

2 MR. BAIRD: Yes.

3 MR. FAWCETT: And if you and I took a walk
4 on the deck when you were making your cargo rounds,
5 would there be any way visually that I would know that
6 that hatch for the scuttle, the manhole, going down to
7 the holes it's properly secured?

8 MR. BAIRD: No, there wouldn't. There's no
9 marks of open or closed. You're just turning the wheel
10 on top of the scuttle to secure it.

11 MR. FAWCETT: Was part of anybody's rounds
12 to either attempt to lift the hatch or see if it was
13 properly secured?

14 MR. BAIRD: Before they left port, the bosun
15 was responsible for making sure all the scuttles were
16 closed. Whether he did it or not, I do not know. But
17 it was the bosun's job. When he left the bow, when he
18 left the port, he'd come through. After securing the
19 anchors, he'd come back down through and on the way
20 back towards the house he'd make sure everything was
21 secured.

22 MR. FAWCETT: And then any time you were in
23 holes doing that soundings at any time did you observe
24 seawater in any of the holds of the El Faro?

25 MR. BAIRD: No.

1 MR. FAWCETT: Thank you.

2 MR. PETERSON: This is Lee Peterson, TOTE.
3 Just a follow-on with what Keith was saying. Are those
4 on the El Faro scuttles covers spring loaded?

5 MR. BAIRD: No, they're not.

6 MR. PETERSON: They're not.

7 MR. BAIRD: No.

8 MR. PETERSON: Okay.

9 MR. BAIRD: You have to manually open and
10 push them up.

11 MR. PETERSON: I was thinking they would pop
12 up a bit.

13 MR. BAIRD: No, they're not spring loaded.
14 They were not on the El Faro.

15 MR. [REDACTED] [REDACTED] [REDACTED] with the Coast
16 Guard. One thing you could help us with is frame of
17 reference. We've all spent some time on the El Yunque
18 to get some general familiarity on this class of
19 vessel. And on the El Yunque there was only one
20 scuttle on one side.

21 Can you tell us about it? Compare that and
22 contrast that with the El Faro? Someone told us there
23 are two scuttles, one on each side.

24 MR. BAIRD: Very observant.

25 MR. [REDACTED] If you can confirm that and

1 just let us know what you know about them.

2 MR. BAIRD: The El Faro had scuttles on both
3 sides on the second deck. They had scuttles on the
4 starboard and they had scuttles on the port side. The
5 other ships didn't have that.

6 MR. [REDACTED] Thank you.

7 MR. KUCHARSKI: Mike Kucharski. So number
8 three hold on a scuttle on both port and starboard
9 sides.

10 MR. BAIRD: That's correct.

11 MR. KUCHARSKI: Mike Kucharski again. The
12 line of questions now helped me develop more questions.
13 You said on the cargo fans, the hold fans for the cargo
14 fans, there were dampers for them.

15 MR. BAIRD: Right.

16 MR. KUCHARSKI: Were those logged anywhere
17 when they were opened and closed?

18 MR. BAIRD: No. We would inspect them once
19 a month to make sure they worked. And that would be
20 logged that the inspection was done. But there was
21 never a formal written thing saying the dampers are
22 open or closed.

23 MR. KUCHARSKI: Was there a written policy
24 for opening and closing them?

25 MR. BAIRD: No, not that I'm aware of.

1 MR. KUCHARSKI: Not that you're aware of.
2 Was there a written policy for opening and closing the
3 scuttles?

4 MR. BAIRD: You were supposed to notify the
5 bridge if you went down below at sea. But sometimes it
6 was done and sometimes it wasn't depending on what they
7 had to do.

8 Some of the engineers might have had to go
9 down there and work on a door and they'd just do their
10 thing. Then they come back out and secure it after
11 they were done. But you're supposed to. But whether
12 they did or not all the time and practically speaking
13 no.

14 MR. KUCHARSKI: Again, this is Mike
15 Kucharski. As far as a written policy, there was a
16 written policy for opening and closing the scuttles.

17 MR. BAIRD: I don't know if there was a
18 written policy. It was just a general good practice
19 that you notified the bridge that somebody was going
20 below. I'd have to look into the manual, TOTE
21 Services' manual, to see because there were so many
22 smaller policies that you just take for granted and
23 you're doing every day.

24 MR. KUCHARSKI: Were there sound powered
25 phones in the holds?

1 MR. BAIRD: There was one in Bravo hold
2 which is A, B, C and D. At the bottom of the elevator,
3 I think there was a phone there.

4 MR. KUCHARSKI: Down the elevator where you
5 say is the cargo elevator.

6 MR. BAIRD: Right, the cargo elevator.

7 MR. KUCHARSKI: You mentioned that you went
8 around and sounded tanks. What tanks did you sound?

9 MR. BAIRD: Different ballast tanks on the
10 ship. They were double-bottom tanks. They were
11 ballast tanks. And I just had to sound them once a
12 week when we left port and our trim tanks back on the
13 stern. The ramp tanks they called them.

14 MR. KUCHARSKI: And was a comparison made
15 with those soundings and any other soundings?

16 MR. BAIRD: They would be checked week to
17 week. And if there was something that showed up, I
18 would bring to the chief mate's attention.

19 MR. KUCHARSKI: Were you aware of any system
20 in the engine room that could tell them what the levels
21 in the tanks were?

22 MR. BAIRD: No, I think there used to be
23 one. What did they call it, Lee? Can I refer to Lee?
24 I think they called it -- They used to have a pneumatic
25 system that would tell you.

1 MR. PETERSON: Numericators (phonetic).

2 MR. BAIRD: Yes, numericators. But they
3 over the years broke down or -- They broke down over
4 the years. So it was all manual.

5 MR. KUCHARSKI: It was all manual. So when
6 you asked them to or they were asked to shift water in
7 the ramp tanks, did somebody physically have to sound
8 the tanks or?

9 MR. BAIRD: I would sound them.

10 MR. KUCHARSKI: You would sound them.

11 MR. BAIRD: Yes.

12 MR. KUCHARSKI: Okay. Did you notice any
13 differences from week to week in tank soundings, the
14 changes?

15 MR. BAIRD: No, the only changes we kept an
16 eye on was the anchor chain logger. Every month we had
17 to pump that out. It would gain water. And that could
18 have been from just seas hitting the anchor chain, the
19 pipe going down. That was the only one that would
20 change.

21 MR. KUCHARSKI: So occasionally you would
22 find water in the chain locker.

23 MR. BAIRD: Right.

24 MR. KUCHARSKI: How about the for-peak tank?

25 MR. BAIRD: Water in the for-peak tank?

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1 MR. KUCHARSKI: Yes.

2 MR. BAIRD: No.

3 MR. KUCHARSKI: They normally keep the for-
4 peak empty or full?

5 MR. BAIRD: It was probably half full with
6 fresh water I think. I'm pretty sure. And I would
7 sound that each week and it would always be the same.

8 MR. KUCHARSKI: How about the after-peak
9 tank? Did you sound that?

10 MR. BAIRD: Those would be empty. That only
11 tank aft that had water in it would be the trim tanks.
12 It would be at the aft, the port ramp tank or the
13 starboard ramp tank.

14 MR. KUCHARSKI: Okay.

15 MR. BAIRD: Everything else back there was
16 empty.

17 MR. KUCHARSKI: And the other tanks that you
18 mentioned when you went around and took your soundings,
19 were those mostly salt water in there or were those
20 mostly fresh water in there?

21 MR. BAIRD: Those were fresh water. The cow
22 tank we called it because we carry cows occasionally.
23 So we had to have water for the cows. That was fresh.

24 MR. KUCHARSKI: Questions on tank soundings,
25 anyone?

1 MR. STITH: This is Kevin Stith with TOTE
2 Services. Just one or two questions about the ramp
3 tanks. Charlie, the ramp tanks, port and starboard,
4 those two tanks you just transferred water back and
5 forth to those tanks and no other tanks for list
6 correction. Is that correct?

7 MR. BAIRD: Yes, that's correct. We would
8 either empty one side into either the port into the
9 starboard or the starboard into the port.

10 MR. STITH: And do you know how that
11 information was communicated to the shore side as far
12 as how to plan cargo or stability?

13 MR. BAIRD: I don't quite know what you're
14 getting at. When we got to port, we would level them
15 out and make sure everything was even. And then we
16 were finishing up cargo we would either put water in
17 one side or the other to help us out if we had a list,
18 be it port list or starboard list.

19 MR. STITH: So after you corrected the list,
20 then you would sound the tanks and pass that
21 information on to the chief mate.

22 MR. BAIRD: Right.

23 MR. STITH: Is that correct?

24 MR. BAIRD: That's correct.

25 MR. STITH: In your experience, do you know

1 I guess would those tanks normally be somewhat
2 equalized or would you have to transfer a lot of water
3 or would it just be a little bit of water? Just
4 generally speaking.

5 MR. BAIRD: Well, generally speaking, it
6 depended on the list. If we had a couple of degrees,
7 we had to transfer a lot of water. If the list wasn't
8 that bad, we wouldn't transfer much.

9 MR. STITH: I don't have any more questions.
10 Thanks.

11 MR. GRUBER: Tom Gruber from ABS. Charlie,
12 are you aware if there are any tank loading limitations
13 in the (Inaudible) booklet regarding the ballast tanks?

14 MR. BAIRD: No, I'm not aware of any
15 limitations.

16 MR. GRUBER: Thank you, sir.

17 MR. BAIRD: Okay.

18 MR. KUCHARSKI: This is Mike Kucharski back.
19 Any other questions on the phone regarding tank
20 soundings or limitations?

21 MR. FURUKAWA: Nothing from Jon.

22 MR. STOLZENBERG: Nothing from Eric.

23 MR. KUCHARSKI: This is Mike Kucharski back.
24 Were you aware of the vessel doing any ballast water
25 exchanges on that run?

1 MR. BAIRD: We would do ballast water
2 exchanges per law. We had to get rid of our ballast
3 when we -- We had to change them around. Yes, we did
4 do it.

5 MR. KUCHARSKI: And that was done --

6 MR. BAIRD: I usually wasn't involved in
7 that. That was more the chief mate would do that.

8 MR. KUCHARSKI: Okay. Did you ever sail
9 with Raymond Thompson?

10 MR. BAIRD: Yes.

11 MR. KUCHARSKI: In what position?

12 MR. BAIRD: He was chief mate on the El
13 Faro.

14 MR. KUCHARSKI: Okay.

15 MR. BAIRD: And I may have sailed with him
16 once on the El Morro. That goes back two years or so.

17 MR. KUCHARSKI: Handover notes, did you have
18 handover notes to the second mate that relieved you?

19 MR. BAIRD: Yes, I did.

20 MR. KUCHARSKI: And did you send them into
21 the company?

22 MR. BAIRD: I would leave them with -- We
23 had them in the second mate's folder. And, no, I did
24 not make a separate one up for the company.

25 MR. KUCHARSKI: And there was a second

1 mate's folder that was kept where?

2 MR. BAIRD: In the second mate's room with
3 all our turnover notes.

4 MR. KUCHARSKI: Do you have any copies of
5 your turnover notes?

6 MR. BAIRD: I may be able to find one.

7 MR. KUCHARSKI: Okay.

8 MR. BAIRD: But I'd have to go back into my
9 briefcase and look through some stuff. It's not
10 something I would normally keep. We would keep it on
11 the computer on the ship and refer to that when we were
12 writing our turnover notes.

13 MR. KUCHARSKI: Fair enough. How about the
14 standing orders of the masters?

15 MR. BAIRD: Those would be on the bridge.

16 MR. KUCHARSKI: Those would be on the
17 bridge.

18 MR. BAIRD: Yes.

19 MR. KUCHARSKI: Do you have any copies of
20 those?

21 MR. BAIRD: No, I do not.

22 MR. KUCHARSKI: Were there differences when
23 Captain Axelson came on? Did he have his own set of
24 standing orders as opposed to Captain Davidson?

25 MR. BAIRD: Yes, they both had their own

1 standing orders. But they both basically would say the
2 same thing, just different ways to say the same thing.

3 MR. KUCHARSKI: I'm going to stop there.
4 Any questions stability, cargo related. I'd like to
5 move next into navigation duties and then weather
6 related information. So anything related to cargo or
7 hold fans, things like that?

8 MR. FAWCETT: Keith Fawcett, Coast Guard.
9 Just kind of a follow-up on paperwork or recordkeeping,
10 something that came to mind. Were emails to and from
11 the ship that were sent and received on the Inmarsat
12 (phonetic) satellite that were operational in nature --
13 for example, plans, intentions, arrivals, departures,
14 those kind of messages -- kept on the bridge so
15 everybody could see them?

16 MR. BAIRD: Arrival/departures, they would
17 be on the bridge. I would send them to the chief
18 engineer and then to the captain. And then captain
19 would send it to the office.

20 MR. FAWCETT: So if you were standing watch
21 and a message came in on the Inmarsat system and it had
22 anything to do with the ship's operational business.

23 MR. BAIRD: That would go to the captain.

24 MR. FAWCETT: You wouldn't see that.

25 MR. BAIRD: I wouldn't see it unless he sent

1 it to me.

2 MR. FAWCETT: And then if he sent it to you
3 would you send it to you via email or would he print
4 out a copy and put it on a clipboard or chart table or
5 something like that?

6 MR. BAIRD: All depending on how important
7 it was. If it was important, he probably would come up
8 personally and show me it. Otherwise if it was
9 routine, he'd just email it up.

10 MR. FAWCETT: Okay. Thank you.

11 MR. KUCHARSKI: On the phone, any follow-up
12 questions.

13 MR. STOLZENBERG: Eric Stolzenberg, NTSB.
14 Charlie, we talked before the stability loading
15 conditions from Cargo Max. Did you ever enter the
16 conditions into Cargo Max?

17 MR. BAIRD: No, I never had anything to do
18 with it. That was strictly the captain and chief
19 officer.

20 MR. STOLZENBERG: And had you ever received
21 any training on the use of Cargo Max?

22 MR. BAIRD: No. It wasn't my -- I was too
23 busy working.

24 MR. STOLZENBERG: Understood. Thank you
25 very much.

1 MR. BAIRD: Okay.

2 MR. FURUKAWA: Jon Furukawa, NTSB. Charlie,
3 for the cargo dampers, if the chief mate prefer to
4 secure them at sea, the cargo event, would the cargo
5 dampers be closed also?

6 MR. BAIRD: They were left open. They were
7 never closed really.

8 MR. FURUKAWA: Okay. Thank you. And one
9 more question going back to taking the salinity in port
10 in Jacksonville. Do you remember what the normal
11 difference was with the top of the saltwater?

12 MR. BAIRD: I don't quite know what you're
13 getting at. I don't understand the question.

14 MR. FURUKAWA: You said the salinity could
15 be different in Jacksonville due to tides.

16 MR. BAIRD: The tides and if it rained a lot
17 that week.

18 MR. FURUKAWA: And rain.

19 MR. BAIRD: Yes. Any number of factors that
20 would make the water more salty or less salty.

21 MR. FURUKAWA: When you applied the salinity
22 corrections to the draft, was there like a normal
23 difference, either three inches lower or three inches
24 higher?

25 MR. BAIRD: I see what you're getting at. I

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1 wouldn't have anything to do with that. I would just
2 report the salinity and the chief mate would work that
3 out when he did his cargo papers, his stability papers.

4 MR. FURUKAWA: Okay. I thought you might
5 have known about that. Thank you very much. That's
6 all that I have. Thanks.

7 MR. BAIRD: Okay.

8 MR. KUCHARSKI: No further questions. I'd
9 like to move back into some navigation duties. Can you
10 tell us whether there was any pre-departure or pre-
11 arrival briefs held on the bridge?

12 MR. BAIRD: If we had a pre-arrival brief,
13 it would be talking about when we were going to make
14 arrival and when we were going to --

15 MR. KUCHARSKI: Hold on one second. Gents,
16 please put your phones on mute on the telephones when
17 you're not actually talking into them. Thank you.

18 Sorry, Charlie. Please.

19 MR. BAIRD: If we had a meeting it would be
20 to discuss our arrival time and what we're going to do
21 in the whale zone, when we're going to get to the whale
22 zone because we have to slow down for the whale zone.
23 But that would be the only -- Because the trip is so
24 routine, we're in a routine.

25 MR. KUCHARSKI: Okay.

1 MR. BAIRD: And the same thing with
2 departure. We would have to wait to get out of the
3 whale zone before we could speed up. We could only go
4 ten knots in the whale zone.

5 MR. KUCHARSKI: And those briefs, were they
6 held with all the deck officers?

7 MR. BAIRD: Not altogether, but
8 individually. Depending on if you were the officer that
9 was going to be up there when you exited the whale zone
10 or entered the whale zone. Then you would be briefed
11 on what you're going to do. Are you going to slow
12 down? Once you make departure and clear the whale
13 zone, we'll go up to sea speed. But we don't want to
14 go over ten knots in the whale zone.

15 MR. KUCHARSKI: Along with the sort of
16 briefs, did the captains have night order books?

17 MR. BAIRD: Yes, we had night order books.

18 MR. KUCHARSKI: Did Captain Davidson
19 typically leave night orders?

20 MR. BAIRD: Yes, he would typically leave
21 night orders for us.

22 MR. KUCHARSKI: Were the night orders in
23 port also?

24 MR. BAIRD: No. We didn't get an night
25 orders in port.

1 MR. KUCHARSKI: So the night orders.

2 MR. BAIRD: Would be at sea.

3 MR. KUCHARSKI: At sea, okay. Was there a
4 material difference between what Captain Axelson had in
5 night orders and Captain Davidson had in night orders?

6 MR. BAIRD: Not that I'm aware of. They
7 would be different, but they would still say the same
8 thing. Don't hit anything. Call me if in doubt. Keep
9 a good lookout. They would just say it different ways.
10 That's all.

11 MR. KUCHARSKI: Okay. Did you ever see any
12 safety alerts come out to the ship?

13 MR. BAIRD: From the office?

14 MR. KUCHARSKI: Yes, from the office.

15 MR. BAIRD: Yes.

16 MR. KUCHARSKI: And how were those sent out?

17 MR. BAIRD: They would go to the captain and
18 he would print them up and either bring them to the
19 bridge or email them up to us.

20 MR. KUCHARSKI: Did they come in ship's mail
21 or did they come in --

22 MR. BAIRD: I think they came through the
23 satellite. They could come both ways probably.

24 MR. KUCHARSKI: Were you aware of any safety
25 alerts specifically sent to the El Faro?

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1 MR. BAIRD: For?

2 MR. KUCHARSKI: Weather related or?

3 MR. BAIRD: No.

4 MR. KUCHARSKI: The motion of the vessel in
5 the seaway, you talked about being in or around
6 different storms while you sailed around them.

7 MR. BAIRD: Yes.

8 MR. KUCHARSKI: Do you see any differences
9 in the way the El Morro worked and the El Faro?

10 MR. BAIRD: No, not really. If anything I
11 thought the El Faro was a solider ship simply because
12 it wasn't worked as hard as the El Morro. No, I did
13 not see any differences. It seemed stiffer maybe
14 because the El Faro seemed like a better ship to me.

15 MR. KUCHARSKI: And did you use autopilot on
16 the ship?

17 MR. BAIRD: Yes.

18 MR. KUCHARSKI: And did that just follow a
19 course that you set in?

20 MR. BAIRD: Yes, typically 131 and 310.

21 MR. KUCHARSKI: Did it have the capability
22 of setting a track? Keeping the vessel on track?

23 MR. BAIRD: It would follow the course you
24 put in it if that's what you're meaning.

25 MR. KUCHARSKI: I just want to differentiate

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1 this -- this is Mike Kucharski -- between heading and
2 course. So did it have the capability of keeping it on
3 the course line that was laid out?

4 MR. BAIRD: Was it interfaced with the GPS?

5 MR. KUCHARSKI: Yes.

6 MR. BAIRD: No.

7 MR. KUCHARSKI: Were there weather
8 adjustments and water adjustments on that autopilot?

9 MR. BAIRD: Yes, there were.

10 MR. KUCHARSKI: Who adjusted those?

11 MR. BAIRD: The mate who felt they needed to
12 be adjusted. Usually we didn't do too much to it. It
13 held a pretty good course.

14 MR. KUCHARSKI: How about in a quartering
15 sea?

16 MR. BAIRD: It would wander a little bit,
17 but nothing that would be out of the norm.

18 MR. KUCHARSKI: Was there a weather
19 adjustment on that autopilot?

20 MR. BAIRD: Yes, there was a weather
21 adjustment. But again we didn't mess with it much.

22 MR. KUCHARSKI: But generally the mate on
23 watch could go ahead and adjust that.

24 MR. BAIRD: Yes.

25 MR. KUCHARSKI: Let me stop there. Any

1 questions? Keith. Sorry, Carrie.

2 MS. BELL: Carrie Bell, NTSB. We're talking
3 about safety alerts. And you said they are sent from
4 TOTE to the captain and then he either prints them out
5 or emails them to you. What are safety alerts sent out
6 for?

7 MR. BAIRD: Pieces of equipment that were
8 found to be trouble. Like we had some that might be
9 for the plugs you use, what they call surge protectors.
10 Some surge protectors are not adequate for marine
11 related environments. So we got something from the
12 Coast Guard I think on that. Different things like
13 that.

14 MS. BELL: Anything related to weather?

15 MR. BAIRD: I don't recall anything weather.

16 MS. BELL: So if there was a storm or
17 something coming or anything like that you wouldn't get
18 an alert related to that.

19 MR. BAIRD: No, I wouldn't. No.

20 MS. BELL: Okay.

21 MR. BAIRD: We would be checking our weather
22 reports daily. And we wouldn't get an alert from the
23 company itself that I am aware of.

24 MS. BELL: Thank you. That's all I have.

25 MR. FAWCETT: Keith Fawcett, Coast Guard.

1 So the safety alerts that come out, they have a
2 numbering system for the year and a sequential number.

3 MR. BAIRD: Yes.

4 MR. FAWCETT: So there is a safety alert
5 which I have not seen that's about Hurricane Danny and
6 Tropical Storm Erica.

7 MR. BAIRD: Okay.

8 MR. FAWCETT: You don't recall that one.

9 MR. BAIRD: No.

10 MR. FAWCETT: Then there was a safety
11 meeting held on --

12 MR. BAIRD: Before Joaquin?

13 MR. FAWCETT: Yes. It would have been
14 sometime in the August time frame.

15 MR. BAIRD: That was probably one of the
16 ones we went Old Bahama Channel.

17 MR. FAWCETT: And then on August 27th during
18 a particular voyage southbound, there was a safety
19 meeting. And the reason I say this and I'm trying to
20 get some help is because I haven't seen the safety
21 report. But one of the topics of the safety meeting
22 was this particular safety alert. Did you attend that
23 safety meeting?

24 MR. BAIRD: No. By the safety alert, do you
25 mean a safety alert for Danny and Erica?

1 MR. FAWCETT: Yes, from TOTE.

2 MR. BAIRD: I don't remember seeing any
3 personally. It might have gone to the captain and he
4 didn't deem it important to share with us.

5 MR. FAWCETT: Thank you.

6 MR. BAIRD: Okay.

7 MR. FAWCETT: Thank you, Charlie.

8 MR. STITH: This is Kevin Stith with TOTE
9 Services.

10 MR. FAWCETT: Hang on just a second. What
11 were you going to say?

12 MR. BAIRD: If it was deemed important, he
13 would have -- If he deemed it important, he would have
14 brought it up to the bridge. But I don't recall seeing
15 anything about it.

16 MR. FAWCETT: Okay. And this is Keith
17 Fawcett. Just a follow-up. The safety alerts aren't
18 posted on the bridge or in other common spaces.

19 MR. BAIRD: The safety alert would be posted
20 in a binder on the bridge. We have a safety alerts
21 binder on the bridge.

22 MR. FAWCETT: Okay. So all of them go in
23 the binder sequentially.

24 MR. BAIRD: Yes, the ones that are brought
25 up. The ones that are given to me or to the officers

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1 up there.

2 MR. FAWCETT: Thank you.

3 MR. KUCHARSKI: Questions around the room?
4 Any other questions before we move on?

5 MR. STITH: This is Kevin Stith, TOTE
6 Services. Are we going to talk about safety management
7 and all of those ISM questions along this line?

8 MR. KUCHARSKI: Kevin, we're going that
9 opened up at the end. I'd like to move into weather
10 related items now, pure weather.

11 MR. STITH: Okay. That's fine then. Okay.
12 Nothing from me at this time.

13 MR. KUCHARSKI: This is Mike Kucharski back.
14 Charlie, did the ship have internet access at sea?

15 MR. BAIRD: Yes.

16 MR. KUCHARSKI: There was internet access.
17 So you could go onto the web if you wanted to while at
18 sea.

19 MR. BAIRD: No, no. But people were able to
20 email home. But we did not have -- At least the crew
21 did not have internet access. I don't know if the
22 captain might have had it in his office. I wasn't
23 privy to it. I don't know.

24 MR. KUCHARSKI: And the reason I'm asking
25 this is because we're going to ask you questions about

1 weather information that came in and if you could go on
2 the internet or get internet weather. Now I'm not
3 talking about BVS or anything on SatC, weather or
4 anything like that. Internet, well if you wanted --
5 Let's say you're at home and you wanted to go on there
6 and look at the weather channel or something.

7 MR. BAIRD: We did not have that.

8 MR. KUCHARSKI: Did you ever seen any
9 printed weather that came off the internet from the
10 National Hurricane Center while you were on El Faro?

11 MR. BAIRD: Yeah, it would come too much.
12 You know they would send the same thing four times in a
13 row, if that's what you mean, weather that came from
14 the National Weather Service and the Hurricane Center.

15 MR. KUCHARSKI: And how that weather come
16 in? How did you get that weather?

17 MR. BAIRD: Through Telex, through the Telex
18 machine.

19 MR. KUCHARSKI: Through the Telex machine.

20 MR. BAIRD: Yes.

21 MR. KUCHARSKI: Was that on the bridge?

22 MR. BAIRD: Yes.

23 MR. KUCHARSKI: Was that part of the SatC?

24 MR. BAIRD: Yes, it was.

25 MR. KUCHARSKI: But no weather maps that

1 came in from the internet that you could see.

2 MR. BAIRD: No, we didn't have that.

3 MR. KUCHARSKI: The bridge for sure didn't
4 have any internet access.

5 MR. BAIRD: No.

6 MR. KUCHARSKI: We're not sure if the
7 captain did. We will ask about that in other
8 interviews. Just a quick question. When you were on
9 the bridge -- Kevin, maybe we'll bring this in when we
10 talk about SMS. I was going to ask about bridge
11 resource coming in and out of port. But let's hold off
12 on that.

13 Did the vessel have a barometer, a wind vane
14 anemometer?

15 MR. BAIRD: Yes.

16 MR. KUCHARSKI: Did it have a barograph,
17 something that recorded the barometric pressure?

18 MR. BAIRD: No, I don't think it. It
19 probably did at one time and the weather people took it
20 off and put up a digital one. But we had a barometer.

21 MR. KUCHARSKI: Okay. Your weather
22 responsibilities on the ship, let's break those down
23 two different ways. One, when you're on watch, just
24 pure on watch and then in addition to as second mate if
25 you had any. So when you were on watch, what were your

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1 weather related responsibilities?

2 MR. BAIRD: Well, the weather all comes in
3 automatically, you know, from SatC. We get the weather
4 from the National Hurricane Center. We also have our
5 weather routing people, our weather service, that you
6 were talking about that I kept that up to date. And if
7 the weather fell on my particular time to send it, I
8 wasn't the most diligent on doing that. But we would
9 send the weather that we saw in our area.

10 MR. KUCHARSKI: And the weather that you
11 sent was sent to whom?

12 MR. BAIRD: To NOAA.

13 MR. KUCHARSKI: To NOAA?

14 MR. BAIRD: Yes.

15 MR. KUCHARSKI: Okay. Did you send an amber
16 weather also?

17 MR. BAIRD: Yes, I guess that's what I mean.
18 But we would also fill out an amber, a departure and
19 arrival.

20 MR. KUCHARSKI: And while you were on watch,
21 you said if weather came in.

22 MR. BAIRD: Yes, from the National Hurricane
23 Center or whatever center was sending it out. It would
24 come through the Telex and we'd post it on the bridge.

25 MR. KUCHARSKI: You'd post it on the bridge.

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1 How about the BVS, the computerized program? Did that
2 weather come in also?

3 MR. BAIRD: Yes, but it would go to the
4 captain and the captain would send it up to the bridge.
5 And then we would download it most recent addition. It
6 would come in maybe two or three times a day and we'd
7 just update it daily as it came in.

8 MR. KUCHARSKI: It didn't come in directly
9 to the bridge. You didn't get a notification that
10 there was weather to download.

11 MR. BAIRD: No, I think it went to the
12 captain and the captain sent it up.

13 MR. KUCHARSKI: Okay. So the BVS weather
14 that came in it went to the captain.

15 MR. BAIRD: And then he sent it --

16 MR. KUCHARSKI: And then how did the captain
17 send it up?

18 MR. BAIRD: Through our email system.

19 MR. KUCHARSKI: Via email.

20 MR. BAIRD: Yes.

21 MR. KUCHARSKI: So the captain had to
22 physically send you that information.

23 MR. BAIRD: Right. Now they have newer
24 versions I think that it's different. I'm not sure.
25 But the way we had it on the El Faro the captain had to

1 send it up. And he was good about it. He sent it up.

2 MR. KUCHARSKI: Before we go specifically
3 into the BVS and sending the weather up -- and this is
4 Mike Kucharski again -- did a port medial officer from
5 NOAA ever come out and visit the ship?

6 MR. BAIRD: Yes.

7 MR. KUCHARSKI: What was his name or her
8 name?

9 MR. BAIRD: Him. I'm trying to think of his
10 name. I just saw him recently. You know he would come
11 out maybe once a year. I just don't remember his name.
12 But he did come out.

13 MR. KUCHARSKI: And what did he do when he
14 came out?

15 MR. BAIRD: He would put in with us a new
16 digital barometer in. And they had new version of the
17 weather program which he installed on our computer. He
18 took us to put out more weather broadcasts.

19 MR. KUCHARSKI: So this weather program was
20 for sending weather.

21 MR. BAIRD: Yes, they have an updated
22 edition I guess.

23 MR. KUCHARSKI: Early you mentioned as part
24 of your duties when there were equipment problems you
25 would let the captain know about the bridge equipment

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1 problems.

2 MR. BAIRD: Bridge equipment, yes.

3 MR. KUCHARSKI: In your time on the El Faro,
4 did you know if there were any problems or were you
5 aware of any problems with the wind vane of the
6 anemometer?

7 MR. BAIRD: Yes, the wind vane didn't work
8 and we put up -- myself and the chief mate -- a new
9 one. And I don't think that one -- It worked for
10 awhile, but we didn't -- It wasn't a working
11 anemometer. But 99 percent of the time though the
12 weather is southeast. That's how we would just
13 visually determine the weather speed and wind
14 direction.

15 MR. KUCHARSKI: This is Mike Kucharski
16 again. So I just want to make sure I understand. Wind
17 vane will show direction.

18 MR. BAIRD: Right.

19 MR. KUCHARSKI: And the anemometer --

20 MR. BAIRD: Wind speed.

21 MR. KUCHARSKI: Wind speed, right. So we
22 have the same understanding. So you estimated both of
23 those because the station didn't work on the El Faro.

24 MR. BAIRD: Right. That's correct.

25 MR. KUCHARSKI: Let me stop there and see if

1 there are any questions regarding that.

2 MR. FURUKAWA: Mike, this is Jon Furukawa.
3 I missed that. The anemometer wasn't working. So,
4 Charlie, would you guess? You had no direction and no
5 speed. You would do a visual on the seas, correct?

6 MR. BAIRD: That's correct.

7 MR. FURUKAWA: Okay. Thank you.

8 MR. KUCHARSKI: This is Mike Kucharski back.
9 How about the barometer? Any problems with the
10 barometer?

11 MR. BAIRD: No, not that I'm aware of. We
12 entered it after the end of each watch what the
13 barometer said.

14 MR. KUCHARSKI: So when the port medial
15 officer came on and installed that, after he installed
16 it, were you on board when he came out to check it
17 again?

18 MR. BAIRD: I probably was on board. But
19 whether I was available to him, I'm on deck working.
20 During the day we're doing cargo ops. A lot of times
21 he'll just come up and do what he has to do with nobody
22 there. Maybe he'll go report to the captain and the
23 captain will tell him "Do what you have to do." But
24 we're all working or sleeping.

25 MR. KUCHARSKI: Back to the wind speed and

1 direction. How did you determine that at night?

2 MR. BAIRD: You kind of look at the radar.
3 You'd see the -- There's different ways. You stick
4 your head out and go into the wind. And if you saw
5 white caps, it was a pretty good indication that you
6 had Force 5 winds. It wasn't the most accurate
7 reporting because there are various factors involved
8 because of the ship's speed and all that. But for the
9 most part, we kind of faced the wind. All right.
10 Southeast like it always is.

11 MR. KUCHARSKI: And you had mentioned about
12 being in some stormy conditions on the -- Was it on the
13 El Faro that there was a hurricane out there or
14 whatever it may be?

15 MR. BAIRD: Well, on the El Morro mostly.
16 The El Faro we had basically good weather most of the
17 time I was on it.

18 MR. KUCHARSKI: Okay.

19 MR. BAIRD: That would have been on the El
20 Morro.

21 MR. KUCHARSKI: Let me stop there.

22 Questions?

23 MR. FAWCETT: Keith Fawcett, Coast Guard.
24 Just to clarify, the anemometer wasn't working on your
25 last voyage.

1 MR. BAIRD: Right.

2 MR. FAWCETT: Okay. Is the knowledge from a
3 seafarer's standpoint of wind direction and velocity
4 useful in hurricane avoidance?

5 MR. BAIRD: Yes, it is. But in this
6 situation I don't -- They should have had enough
7 information and it might not have been exactly right
8 where the wind direction was coming from. But they
9 could see where it was coming from. Anybody that sails
10 for awhile they're going to know where the wind is, an
11 approximate direction. It might not be the exact
12 direction, but they can figure out the approximate
13 direction.

14 MR. FAWCETT: So you and one of the mates
15 repaired or swapped out an anemometer, correct?

16 MR. BAIRD: We swapped out one, yes.

17 MR. FAWCETT: Was there ever a formal
18 request to TOTE that you're aware of to have that
19 equipment serviced or replaced?

20 MR. BAIRD: No. I'm not aware of that.

21 MR. FAWCETT: Thank you, Charlie.

22 MR. BAIRD: Okay.

23 MR. RICHARDS: Mike Richards, NTSB. I'd
24 like to go back and see if we can -- because it's not
25 clear to me exactly what services were aboard the El

1 Faro for receiving weather information. So let me ask
2 you. What different ways could you receive weather on
3 board the El Faro while at sea?

4 MR. BAIRD: Let's see, we have SatC through
5 the Telex there would send us our weather. And we also
6 had weather service, weather routing. They called that
7 thing BVS. And that was sent to the ship maybe three
8 times a day. And we would download that to our
9 computer on the bridge.

10 And then we have NAV techs would send out.
11 So we had basically three forms, the NAV techs, the
12 SatC and our weather program we got from on the
13 computer from BVS system. I think that's what it was
14 called.

15 MR. RICHARDS: Specifically with regard to
16 SatC, what type of products came across?

17 MR. BAIRD: The weather from the whole east
18 coast. If there were any advisories, they would send
19 you advisories, be it hurricane or. But you'd get the
20 whole east coast and the Gulf.

21 MR. RICHARDS: Were these text products?

22 MR. BAIRD: Were these what?

23 MR. RICHARDS: Were these text products?

24 MR. BAIRD: Text.

25 MR. RICHARDS: Yes, were these alphanumeric

1 products as opposed to images that were sent?

2 MR. BAIRD: Yes, they were text.

3 MR. RICHARDS: So what type of weather
4 information was received specifically via NavTech?

5 MR. BAIRD: Buoys that were out that hadn't
6 gotten to (Inaudible) Certain weather would come out on
7 the NavTech.

8 MR. RICHARDS: And with regard to the
9 weather routing media system, you said you received
10 weather updates three times a day.

11 MR. BAIRD: Approximately.

12 MR. RICHARDS: Do you recall what times of
13 day those would show up?

14 MR. BAIRD: Again, it would depend on when
15 the captain sent it up to me. It went to the captain
16 and then he would send it up to the bridge. And then
17 we'd download it onto the computer. But usually it
18 would come up three times a day. It could have been
19 four. But I remember it maybe the number three.

20 MR. RICHARDS: Was using the BVS, the
21 weather routing BVS system, a routine part of your
22 duties?

23 MR. BAIRD: It was for me. I liked it.

24 MR. RICHARDS: Do you know who established
25 the delivery schedule for the weather information that

1 was emailed to the captain?

2 MR. BAIRD: The weather reporting company
3 would have a schedule I would think and they would send
4 it to him. I don't know if it's on the six hour or
5 seven hour or what hour they sent it.

6 MR. RICHARDS: So establishing the delivery
7 schedule for the weather information was not part of
8 your duties.

9 MR. BAIRD: No.

10 MR. RICHARDS: Keep talking about this BVS
11 program. Was this program loaded on a personal
12 computer? Was this program loaded on a laptop?

13 MR. BAIRD: Yes, a computer like the one you
14 have right now would be on the bridge.

15 MR. RICHARDS: Where on the bridge was this
16 computer normally located?

17 MR. BAIRD: On the navigation table.

18 MR. RICHARDS: Did you ever see any other
19 instances of the BVS program on any other computer on
20 board of the El Faro?

21 MR. BAIRD: In the captain's office.

22 MR. RICHARDS: In the captain's office.

23 MR. BAIRD: Yes, the captain had in his
24 office and I had it on the bridge.

25 MR. RICHARDS: Okay. So if we go back and

1 look at all the weather services that were available,
2 you identified SatC. You identified NavTech and you
3 identified weather routing system BVS whose data is
4 provided to you via email.

5 MR. BAIRD: Right.

6 MR. RICHARDS: On a normal route between
7 Jacksonville and San Juan while at sea, did you
8 recognize any I'll use the term dead areas for
9 receiving service from one or more of those
10 communication vehicles?

11 MR. BAIRD: No, I did not notice any dead
12 areas.

13 MR. RICHARDS: Okay.

14 MR. BAIRD: By dead areas you mean areas
15 where you couldn't receive the weather or?

16 MR. RICHARDS: For example.

17 MR. BAIRD: Bad reception areas?

18 MR. RICHARDS: Exactly.

19 MR. BAIRD: No.

20 MR. RICHARDS: Would you receive information
21 on position and forecast position of tropical cyclones
22 from SatC or NavTech?

23 MR. BAIRD: Yes, from SatC primarily. And
24 if it was deemed important we would plot it where it is
25 if it was coming our way or not coming our way.

1 MR. RICHARDS: So when you say we, would
2 that be something you would do routinely and/or one of
3 the other officers? Is that correct?

4 MR. BAIRD: Well, me or one of the other
5 officers. If the weather came up on somebody else's
6 watch, then he would plot that hurricane or that
7 disturbance.

8 MR. RICHARDS: And then where would that
9 person put that plot?

10 MR. BAIRD: It would be right on the chart
11 table with all the other navigation.

12 MR. RICHARDS: Okay. Were tropical cyclone
13 current or forecast positions available to you through
14 the weather and BVS program?

15 MR. BAIRD: Yes.

16 MR. RICHARDS: Were there ever comparisons
17 made between the two tracks?

18 MR. BAIRD: All the time. Yes, we would
19 plot both. Sometimes they agreed and sometimes they
20 didn't. Just like when you watch TV, the projected
21 path of the hurricane has like five to six different
22 ways it could go. We tried to plot as much as we can.

23 MR. RICHARDS: So let me clarify. You also
24 hand-plotted the tracks that were provided by BVS.

25 MR. BAIRD: I would.

1 MR. RICHARDS: And sometimes they would
2 match and sometimes --

3 MR. BAIRD: They would be a little off,
4 right.

5 MR. RICHARDS: Okay. Did you ever consider
6 or ask about or? What's your understanding as to why
7 the two tracks were different when they did?

8 MR. BAIRD: Different programs. Different
9 computer programs will give you different outcomes for
10 what the storm will do. And even when we get the
11 weather from the National Weather Service, it will say
12 accurate to within maybe 100 miles. They're not saying
13 the storm is right here especially when they're
14 projecting a day or two in advance. The higher days
15 projected away from you the less accurate it's going to
16 be.

17 MR. RICHARDS: Okay. And you mentioned that
18 in order to get the BVS data it needed to be emailed to
19 you from the captain.

20 MR. BAIRD: Right.

21 MR. RICHARDS: So the captain would receive
22 the information -- correct me if I'm wrong --
23 presumably by email.

24 MR. BAIRD: Yes.

25 MR. RICHARDS: He would take action and that

1 information would go to you.

2 MR. BAIRD: Right.

3 MR. RICHARDS: So in a situation where the
4 captain was asleep or he was doing other duties.

5 MR. BAIRD: I'd get it a little late.
6 That's all. Instead of being at 1:00 I'd get at 3:00.

7 MR. RICHARDS: Okay.

8 MR. [REDACTED] Can I piggyback on that for a
9 second?

10 MR. RICHARDS: Go ahead if Mike says it's
11 okay.

12 MR. KUCHARSKI: Sure. Go ahead. Speak up.

13 MR. [REDACTED] [REDACTED] [REDACTED] with the Coast
14 Guard. So you were on the 12 to four watch.

15 MR. BAIRD: Right.

16 MR. [REDACTED] Did the BVS emails typically
17 come in during let's start with the afternoon, the 12
18 to four in the afternoon? Did they typically get
19 forwarded during your watch or was it maybe during the
20 chief mate or third mate's watch?

21 MR. BAIRD: I could possibly get one during
22 my watch. And then the next watch might get one. It
23 didn't all come at one time. It would come at
24 different times during the day. Different people would
25 be updating it.

1 MR. [REDACTED] Okay. That was going to be my
2 next question. So if it came in during chief mate's
3 watch or third mate's watch, my question was going to
4 be are you the only one that would transfer it from
5 BVS.

6 MR. BAIRD: No, I'm not the only one.

7 MR. [REDACTED] So if it came by email during
8 someone else's watch, they would also update BVS.

9 MR. BAIRD: Now whether they did or not I
10 don't know.

11 MR. [REDACTED] Thank you.

12 MR. RICHARDS: Have you received any --

13 MR. KUCHARSKI: Mike Richards.

14 MR. RICHARDS: Excuse me. Mike Richards,
15 NTSB. Did you receive any formalized training or
16 guidance on the use of the BVS system?

17 MR. KUCHARSKI: As far as setting up the
18 routes or?

19 MR. RICHARDS: As far as usage of the
20 program. Forgive me. Let me step back and I'll ask my
21 question in a minute. Do you recall when the BVS
22 system was first available on board the El Faro?

23 MR. KUCHARSKI: I want to say two years, at
24 least two years.

25 MR. RICHARDS: Were you working on the El

1 Faro when it was first installed?

2 MR. BAIRD: Yeah. I'm pretty sure they had
3 it on the El Morro also. And when I went over to the
4 El Faro, I don't know exactly when they put it on
5 there. But it came on.

6 MR. RICHARDS: Then let me go back and ask
7 the question that I asked before. When BVS was first
8 introduced to the ship, be it the El Faro or the El
9 Morro, whichever you were on when that was, was there
10 any training provided on the use of the system?

11 MR. BAIRD: No, but I went on the phone and
12 called them because there's a number you can call and
13 talk to an actual human being. And I talked to a human
14 being and they walked me through how to set up the
15 routes and all that.

16 MR. RICHARDS: Do you happen to recall the
17 version of BVS that was running on the El Faro the last
18 time you used it?

19 MR. BAIRD: Maybe five.

20 MR. RICHARDS: Five.

21 MR. BAIRD: Version five.

22 MR. RICHARDS: Mike, I have the program on
23 my computer here. I'd like to show Charlie the program
24 and see if he recognizes the version.

25 MR. KUCHARSKI: Sure.

1 MR. RICHARDS: I don't know how to do that.

2 MR. KUCHARSKI: Bring your computer around.

3 Please explain what we're looking at in as much detail
4 as you can so we can get this on the transcript. It's
5 hard to --

6 MR. RICHARDS: So this is the Bon Voyage
7 Program, the BVS program, which is -- I'm going to show
8 you -- Version 7.0.0.7A.

9 MR. BAIRD: That's the brand new one I
10 think.

11 MR. RICHARDS: This is the brand new one,
12 okay. So I'm having computer problems. Does this
13 version look familiar to you?

14 MR. BAIRD: Yes.

15 MR. RICHARDS: Was this -- Can you confirm
16 that this was the version that was on board the El
17 Faro?

18 MR. BAIRD: No, I can't. I think it was --
19 I thought it was Version 5 because seven is on the new
20 ship. Was it five or seven?

21 MR. RICHARDS: Do you recognize any
22 significant differences? And if you want to play
23 around with it you can between?

24 MR. BAIRD: There were smaller differences.

25 MR. KUCHARSKI: Let the record reflect that

1 Charlie Baird is working. He's looking at a laptop
2 computer now with the BVS 7.0 loaded up. And he's just
3 going through some of the toggles on here to look at
4 it.

5 MR. BAIRD: What is it you want me to do?

6 MR. RICHARDS: Nothing. Not yet. So I
7 guess the question is is there anything you --

8 MR. BAIRD: You can go up here to advance
9 your position.

10 MR. RICHARDS: Right.

11 MR. BAIRD: If you want to see what you're
12 going to do six hours from now, what the storm's going
13 to do six hours from now and that's what we would
14 typically do. If we're up here we're going to advance
15 ourselves to see where the storm is going to be when I
16 get approximately there.

17 MR. RICHARDS: So are you able to confirm
18 that this was the version that was onboard the El Faro
19 the last you used it?

20 MR. BAIRD: It's either going to be five or
21 seven. It could have been seven. But do I remember if
22 it was five or seven? Only because the new ship has
23 the seven and I'm wondering if I might be getting them
24 confused between the five and the seven.

25 MR. RICHARDS: Okay.

1 MR. BAIRD: But they're both basically the
2 same. That might have a little more refinement to it
3 just because it's a newer edition. But they're both
4 going to do the same thing.

5 MR. KUCHARSKI: This is Mike Kucharski. Can
6 I ask him a question if you don't mind, Mike?

7 MR. RICHARDS: Yes.

8 MR. KUCHARSKI: Did you have any problems
9 working the BVS program?

10 MR. BAIRD: No. I liked it.

11 MR. KUCHARSKI: User friendly. Was it user
12 friendly?

13 MR. BAIRD: Yes, once you knew the system,
14 it was friendly.

15 MR. KUCHARSKI: Charlie, you have a ton of
16 seagoing experience. Have you worked with any other
17 weather type programs like that?

18 MR. BAIRD: No, that's the only one I've
19 worked with.

20 MR. KUCHARSKI: Did they have a weather
21 routing actual service?

22 MR. BAIRD: No, we only had that.

23 MR. KUCHARSKI: Only had that.

24 MR. BAIRD: The new ship has weather routing
25 though.

1 MR. KUCHARSKI: The new ship has weather
2 routing.

3 MR. BAIRD: Yes.

4 MR. KUCHARSKI: How do you know that?

5 MR. BAIRD: Well, we were told.

6 MR. KUCHARSKI: Okay.

7 MR. BAIRD: And we used them when we left
8 San Diego coming down to Panama because there was a
9 storm that they suggested a certain route for us.

10 MR. KUCHARSKI: You were onboard. What ship
11 was that?

12 MR. BAIRD: The Isla Bella.

13 MR. KUCHARSKI: The Isla Bella, okay.

14 MR. BAIRD: Affectionately known as the
15 Isabella.

16 MR. KUCHARSKI: And what were you on the
17 Isla Bella?

18 MR. BAIRD: When?

19 MR. KUCHARSKI: No, what position?

20 MR. BAIRD: Third mate.

21 MR. KUCHARSKI: You were third mate on
22 there, okay. And you were using the BVS system that
23 they had on.

24 MR. BAIRD: On the Isla Bella.

25 MR. KUCHARSKI: And it was BVS also.

1 MR. BAIRD: Yes.

2 MR. KUCHARSKI: So you've looked at what --
3 You've seen what they had on El Faro. You were the
4 second mate on there.

5 MR. BAIRD: Right.

6 MR. KUCHARSKI: When was the last time you
7 were on the El Faro?

8 MR. BAIRD: It would have been the end of
9 September. When did she go down? I missed that.

10 MR. KUCHARSKI: October 1st.

11 MR. BAIRD: All right. Then mid September,
12 probably --

13 MR. KUCHARSKI: So you were on board --
14 Sorry.

15 MR. BAIRD: Probably the third week in
16 September.

17 MR. KUCHARSKI: The third week in September
18 you were on El Faro.

19 MR. BAIRD: The second or third week I got
20 off.

21 MR. KUCHARSKI: And you saw -- So you were
22 able to compare the two. When were you on Isla Bella?

23 MR. BAIRD: I just got off last week.

24 MR. KUCHARSKI: Okay. Last week. Sorry.

25 MR. RICHARDS: Go ahead. I have a few more

1 questions but.

2 MR. KUCHARSKI: Can we maybe stop just
3 briefly there and go around the room and see? We've
4 asked a lot of questions to see if there are any
5 weather related questions. And then the phone. And
6 then I'd like to take a break right here after we have
7 finish with this round of questions. Okay. Carrie.

8 MS. BELL: Carrie Bell, NTSB. You mentioned
9 that you made a phone call to someone to talk to
10 someone in person regarding the BVS and how to use it.

11 MR. BAIRD: Yes.

12 MS. BELL: Did you have any training prior
13 to using BVS before you ever got on -- Before you
14 started using it, did you have a training class or
15 anything like that?

16 MR. BAIRD: No.

17 MS. BELL: How did you learn to use it?

18 MR. BAIRD: I called somebody. You know
19 they have a number you can call, a help line. I kept
20 them on the phone for half an hour asking them. This
21 new version was a little bit different than the
22 previous version and I was getting a little confused.

23 MS. BELL: So you called them on the newer
24 version and not the one.

25 MR. BAIRD: Yes.

1 MS. BELL: So you were familiar with the
2 other version. But the first time you ever used it, how
3 did you --

4 MR. BAIRD: The other version, the previous
5 one, the one that was on the El Faro Captain Davidson
6 was the one who showed me how to. He was pretty versed
7 in it because he had it on his ship previously I think.

8 MS. BELL: Okay.

9 MR. BAIRD: And he was very well versed in
10 it. And he showed me how it worked.

11 MS. BELL: Thank you.

12 MR. BAIRD: Okay.

13 MR. FAWCETT: Mike, I have two quick
14 questions, one regarding safety alert and one regarding
15 the anemometer.

16 MR. KUCHARSKI: Sure. Go ahead.

17 MR. FAWCETT: Okay. Keith Fawcett, Coast
18 Guard. Charlie, I just want to make sure. Were
19 Captain Davidson, Captain Axelson and Captain Thompson
20 aware that the anemometer did not work?

21 MR. BAIRD: Yes.

22 MR. FAWCETT: My second one is about the
23 safety alert 08-TAC-15. And I was fortunate enough to
24 find that. And it's from John Lawrence and there's an
25 email that says, "Please find attached safety alert

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1 regarding Hurricane Danny. Ships and other manual
2 holders shall print out this alert and place into their
3 ship's alerts and casualty analysis binder. A paper
4 copy will not be mailed to you. Ships and manual
5 holders, please respond to K. Peterson at TOTE Services
6 to confirm receipt of this alert." And K. Peterson I
7 think is Lee Peterson.

8 MS. BELL: No.

9 MR. PETERSON: That's Karen Peterson.

10 MR. FAWCETT: Okay. Very good. Wasn't your
11 first name Kenneth?

12 MR. PETERSON: It is.

13 MR. FAWCETT: Okay. That was my confusion.
14 I apologize.

15 MR. PETERSON: That's everyone's confusion.
16 That's alright.

17 MR. FAWCETT: So then it's discussed in the
18 safety meeting and I just want to revisit it one time
19 because the safety alert 15-TAC-8 was dated 8/20. And
20 I haven't been provided this before, but it says,
21 "Hurricane Danny. Danny will become the first
22 hurricane of the 2015 season." At noon today they have
23 a position. Then they say, weather forecasters predict
24 eight tropical storms, four hurricanes and one major
25 hurricane for this season. And that's paraphrasing.

1 "This is a reminder to ALL of our vessels in
2 all oceans should review their general and vessel
3 specific heavy weather procedures and be prepared for
4 the unexpected occurrent. All RRF vessels should
5 review and update their severe weather plans." Now the
6 RRF I think is the Rapid Response Force Naval
7 preposition vessels, correct?

8 MS. SERRIDGE: This is Melissa Serridge.
9 It's the Ready Reserve Fleet.

10 MR. FAWCETT: So you didn't see this.

11 MR. BAIRD: I don't recall.

12 MR. FAWCETT: All right.

13 MR. BAIRD: I might have. But it didn't --
14 At the time I saw it, it wasn't important to us. There
15 was no weather for us to avoid I don't think. I just
16 don't recall.

17 MR. FAWCETT: Thank you.

18 MR. BAIRD: Okay.

19 MR. RICHARDS: Just a few more follow-up
20 questions and clarifications.

21 MR. KUCHARSKI: Okay. Questions related to
22 what's been done before because we want to take a
23 break. Anything that's he's already answered.

24 MR. RICHARDS: This is with regard to
25 weather.

1 MR. STITH: This is Kevin. Can I step in
2 here?

3 MR. KUCHARSKI: Hold on a second. If there
4 are new questions, I'd like to take a break somewhere.
5 So if it's questions related to what you've already
6 asked, please keep it to that. Otherwise, we'll never
7 take a break.

8 MR. RICHARDS: Okay. Yes. Real quick.
9 Just to confirm there was not facsimile capability
10 onboard the El Faro.

11 MR. BAIRD: We had a weather fax on board.

12 MR. RICHARDS: You did have a weather fax.

13 MR. BAIRD: Yes.

14 MR. RICHARDS: And could you get -- Did you
15 receive graphical information on that fax?

16 MR. BAIRD: No. Weather fax I found doesn't
17 work well.

18 MR. RICHARDS: Okay.

19 MR. BAIRD: It didn't work well.

20 MR. RICHARDS: Meaning the connectivity
21 didn't work well.

22 MR. BAIRD: Yeah. Very seldom would we get
23 a good weather map out of it.

24 MR. RICHARDS: So the image that came
25 through was?

1 MR. BAIRD: Was inadequate.

2 MR. RICHARDS: You may have said this and I
3 missed it. But just to make sure, do you recall the
4 last time that the BVS program was updated onboard the
5 El Faro?

6 MR. BAIRD: Like I say, I thought the
7 version we had was 5.0. But it could have been the
8 7.0. I'm just wondering if I'm getting the newer ship
9 which does have a 7.0. I'm don't know if I'm getting
10 them confused.

11 MR. RICHARDS: That's okay. Thank you. And
12 now I'm not sure if I'm getting off.

13 MR. KUCHARSKI: Kevin, related to the
14 questions that have just been asked, please go ahead on
15 the phone.

16 MR. STITH: Okay. Yeah. Kevin Stith with
17 TOTE Services. You answered my question about the
18 weather fax. My question -- I have two questions about
19 the BVS system. In your experience with it on the El
20 Faro, would you say that you yourself and the other
21 mates trusted it and used it as a reliable source of
22 information?

23 MR. BAIRD: I did. I did, Kevin. I found
24 it very useful.

25 MR. STITH: So that was generally speaking

1 your primary source of weather information.

2 MR. BAIRD: That and the SatC.

3 MR. STITH: Okay. As far as the safety
4 meetings and safety alerts and things like that, would
5 you usually be on the bridge while those are conducted
6 because the rest of the crew was at the safety meeting?
7 Or would you be at the safety meeting, too?

8 MR. BAIRD: Well, it depends on if they had
9 it in the morning or in the afternoon. If it was in
10 the afternoon, I'd be on the bridge. If it was in the
11 morning, I'd more inclined to be at the meeting.

12 MR. STITH: If they had discussed that
13 safety alert at the safety meeting there's a chance
14 that you could have been on the bridge.

15 MR. BAIRD: Correct.

16 MR. STITH: Maybe that's why you weren't
17 involved in that discussion. There is that chance,
18 correct?

19 MR. BAIRD: Right.

20 MR. STITH: Okay. I guess the last question
21 that I have for the anemometer, the wind vane, didn't
22 work on the El Faro. Was everyone aware of the status
23 of it?

24 MR. BAIRD: Oh yes. Everybody knew it
25 didn't work.

1 MR. STITH: Okay. That answers all of my
2 questions. Thank you.

3 MR. BAIRD: Okay.

4 MR. FURUKAWA: Jon Furukawa, NTSB. Charlie,
5 you said on a couple of weeks before (Inaudible) you
6 took action to avoid a weather system. Did you use BVS
7 to gather the information to develop your plan to
8 change course for that weather system?

9 MR. BAIRD: That came into my decision
10 making process. It wasn't the only reason, but it was
11 part of my process.

12 MR. FURUKAWA: Did the BVS give you
13 information to make that decision?

14 MR. BAIRD: Yes, it helped.

15 MR. FURUKAWA: Which weather system was
16 that? Was that Danny or Erica or some other one?

17 MR. BAIRD: I think it was Erica.

18 MR. FURUKAWA: Okay. And for BVS as you
19 used, what I understand is the Isla Bella ship has a
20 weather routing service or GPS that suggests a voyage
21 or a change in course. But the El Faro didn't have
22 that active with the routing service.

23 MR. BAIRD: That's correct.

24 MR. FURUKAWA: When you guys made that --
25 When you suggested to Captain Davidson to use the Old

1 Bahama Channel, was that in the southbound voyage?

2 MR. BAIRD: Yes, that would have been our
3 voyage leaving Jacksonville going to San Juan.

4 MR. FURUKAWA: So weather, if you're not on
5 watch and when it comes in by telex and a mate has
6 concern about weather, would they wait to bring it up
7 to you or would they go ahead and bring it up to the
8 captain?

9 MR. BAIRD: He would bring it up to the
10 captain.

11 MR. FURUKAWA: Okay. And nobody brought up
12 any concerns of weather with the captain or bring it up
13 with you guys or come directly to you.

14 MR. BAIRD: They wouldn't come to me
15 necessarily. They'd bring it up to the captain.

16 MR. FURUKAWA: For Erica, you brought your
17 concerns up to Captain Davidson.

18 MR. BAIRD: Right.

19 MR. FURUKAWA: If you hadn't brought that up
20 to him, would he have come up to you about concerns
21 with that system?

22 MR. BAIRD: I don't know if he would have.
23 I was concerned. So I went to see him.

24 MR. FURUKAWA: Okay. Thanks very much. This
25 is Jon Furukawa. That's all I have.

1 MR. BAIRD: Okay.

2 MR. KUCHARSKI: Anyone else on the phone
3 before we take a break?

4 MR. STOLZENBERG: No questions from Eric.

5 MR. KUCHARSKI: Okay. We'll give you --
6 We'll put the phone on mute -- ten minutes. A ten
7 minute break. Is that okay, Charlie?

8 MR. BAIRD: That's fine.

9 MR. KUCHARSKI: The tape is stopped. It is
10 now 12:04 p.m.

11 (Whereupon, a short recess was taken)

12 MR. KUCHARSKI: Mike Kucharski. We're back
13 to the third taping session for Charlie Baird's
14 interview. The time now is 12:17 p.m. And do we have
15 everyone back on the phone?

16 MR. FURUKAWA: Jon's here.

17 MR. STITH: Kevin Stith is here.

18 MR. KUCHARSKI: Okay. Great.

19 MR. STOLZENBERG: Eric is here.

20 MR. KUCHARSKI: Eric, okay. Thank you.

21 Charlie, this is Mike Kucharski. I'd like
22 to ask you a question back on the safety alerts, the
23 one that Keith was talking about for the hurricane out
24 there and the safety alert that was sent out by John
25 Lawrence. Was that posted anywhere on the bridge that

1 you recollect?

2 MR. BAIRD: It wouldn't necessarily be
3 posted on the bridge. It would have been put on the
4 chart table and people would have read it. And after a
5 day or two, it would have gone into a folder. But it
6 wouldn't have been posted specifically. I just don't
7 remember reading it. That's all.

8 MR. KUCHARSKI: Were the safety alerts be
9 put in a folder on the bridge?

10 MR. BAIRD: Right.

11 MR. KUCHARSKI: There is, okay. Regarding
12 weather routes, we've talked about weather routing and
13 we talked about voyage planning. Were there specific
14 weather routes that you recollect on the ship there for
15 different tracks to take?

16 MR. BAIRD: There are definite
17 tracks to take for good weather and bad weather. If we
18 see bad weather, we're going on a route called the Old
19 Bahama Channel. And it adds maybe about 160 miles onto
20 your trip, but you don't get exposed to the seas and
21 the damage that you could if you went the regular
22 route.

23 MR. KUCHARSKI: And have you been on either
24 of the ships when you used the Old Bahama Channel?

25 MR. BAIRD: Many times.

1 MR. KUCHARSKI: Many times.

2 MR. BAIRD: Many times.

3 MR. KUCHARSKI: And how about the Yucatan
4 Channel? Was that also -- Yucatan, going in between --

5 MR. BAIRD: Do you mean south of Cuba? Go
6 south of Cuba?

7 MR. KUCHARSKI: West of Cuba through the
8 Strait of Florida and down around Cuba.

9 MR. BAIRD: We would have no reason to go
10 all that way.

11 MR. KUCHARSKI: But was there --

12 MR. BAIRD: No, there's no route for that.

13 MR. KUCHARSKI: That is no route for that.

14 MR. BAIRD: No.

15 MR. KUCHARSKI: And these preprinted -- Or
16 were they preprinted type routes on a sheet?

17 MR. BAIRD: Yes, right.

18 MR. KUCHARSKI: They were, okay.

19 MR. BAIRD: They were also entered into the
20 GPS.

21 MR. KUCHARSKI: Also entered in the GPS.

22 MR. BAIRD: And they were on the radars.

23 MR. KUCHARSKI: Okay. And were those routes
24 ever sent into the company, a copy of them?

25 MR. BAIRD: No.

1 MR. KUCHARSKI: Do you recollect any
2 discussions about using weather routing on that ship?
3 Weather routing like you had --

4 MR. BAIRD: We didn't have weather routing
5 on.

6 MR. KUCHARSKI: Right. But were there any
7 discussions you had with the captain or anybody ashore
8 or anyone at BVS about adding weather routing to the
9 service?

10 MR. BAIRD: We might have talked about it,
11 but it wasn't anything that I would have been involved
12 with in the decision.

13 MR. KUCHARSKI: Not in the decision. Did
14 you talk about it with any of the captains?

15 MR. BAIRD: We might have. I might have "Do
16 we have this" or we didn't have it. I don't recall
17 really if there was any discussion. We didn't really
18 feel we needed it.

19 MR. KUCHARSKI: Okay. Around the room?

20 MS. BELL: This is Carrie Bell, NTSB. You
21 mentioned that you've taken the Old Bahama Channel many
22 times.

23 MR. BAIRD: Yes.

24 MS. BELL: Is that only when there is bad
25 weather?

1 MR. BAIRD: That's the main reason for going
2 that route because of bad weather. You have all of the
3 Bahamas between you and the weather. So they break up
4 the seas. You'll still get wind, but you won't get the
5 30/40/50 foot seas. You can maintain your speed and
6 not damage the vessel.

7 MS. BELL: Have you ever not taken that
8 route when there was heavy weather?

9 MR. BAIRD: Yes, and we regretted it. It
10 can be rough. And we learn from experience. If you
11 have bad weather, you go the Old Bahama Channel. The
12 time you lose by going the extra distance you more than
13 make up because you can go full speed as opposed to
14 reduced speed because of the seas.

15 And people don't get sick. And the ship
16 doesn't get damaged. If you go the regular route in
17 bad weather, you're going know it.

18 MS. BELL: So when you did go the regular
19 route when there is bad weather why did you go that
20 way?

21 MR. BAIRD: We interpreted the path of the
22 storm wrong. Storms have their own mind, you know. So
23 we thought it was going to do one thing and it was
24 projected to do a certain thing. And it didn't do what
25 we thought.

1 MS. BELL: Yes.

2 MR. BAIRD: And we got caught. We were
3 maybe 100 miles away from it. And that's about as
4 close as I ever want to get to it because it was rough.

5 MS. BELL: Yes. Thank you.

6 MR. BAIRD: You're welcome.

7 MR. KUCHARSKI: This is Mike Kucharski. A
8 follow-on question on the use of the Old Bahama
9 Channel. Was there a point of no return or a point
10 where you had to make that decision to use the Old
11 Bahama Channel?

12 MR. BAIRD: We would use it usually as soon
13 as we left the port. But there are passes that you can
14 go through to get to the Old Bahama Channel. If you
15 started your voyage and you think it's a bad idea, then
16 there's other little cuts that you can go between the
17 islands that can get you down to the Old Bahama
18 Channel.

19 MR. KUCHARSKI: But from my recollection --
20 it's Mike Kucharski -- the Bahamas' bank is somewhere
21 in between those cuts in getting into the Old Bahama
22 Channel.

23 MR. BAIRD: You can go through the cuts to
24 get to the Old Bahama Channel.

25 MR. KUCHARSKI: Okay.

1 MR. BAIRD: You have the Crossed Island
2 Passage, Mayaguez passage. There are a number of
3 little cuts you can take to get down into it.

4 MR. KUCHARSKI: Okay.

5 MR. BAIRD: And that's what they might have
6 been trying to get to the Crooked Island Passage.
7 That's where they went down was in that Crooked Island
8 area. But like I say, I'm just speculating.

9 MR. FAWCETT: Keith Fawcett, Coast Guard.
10 Generally speaking, you would sail in the evenings.

11 MR. BAIRD: Yes.

12 MR. FAWCETT: Approximately when would you
13 in general finish your voyage plan?

14 MR. BAIRD: It would have already been made
15 up and entered into our computers.

16 MR. FAWCETT: I'm saying when on the day
17 that you were sailing would you complete and have the
18 captain -- Would you and the captain confer on the
19 voyage plan and sign off on it?

20 MR. BAIRD: I would have it done in the
21 morning, probably 6:00 a.m. or 7:00 a.m.

22 MR. FAWCETT: And I'm not sure --

23 MR. BAIRD: I would be up like from midnight
24 to we finished with engines. So I would be up from
25 like midnight to 6:00 a.m. I would get that all done

1 so I could go to bed.

2 MR. FAWCETT: Yes. And would you see the
3 captain? When you would actually physically confer
4 with the captain on the voyage plan?

5 MR. BAIRD: If I saw him that morning, I'd
6 see him that morning or he'd sign it before the
7 afternoon. It's the same plan 99.9 percent of the
8 time. It's the same 131 to San Juan, 310 to get back.

9 MR. FAWCETT: Yes. I'm fascinated by
10 phrases like that. On the morning of the 25th of
11 August, the captain wrote, "Good afternoon" and this
12 was directed ashore. "As per most recent BVS weather
13 file and related marine weather radio broadcasts..."
14 This was the first time I'd seen marine radio weather
15 which I'm assuming it may be like VHF or something like
16 that. I could be NavTech or it could be SatC. I'm not
17 sure.

18 He says that "At 3:10 p.m. the El Faro will
19 transit the Old Bahama Channel en route to San Juan.
20 Although this route does add additional 160 nautical
21 miles, I'm confident that it offers safer sea passage
22 compared to our normal offshore route. It also allows
23 the option to go to and jog west of Puerto Rico as
24 Erica tracks either north or south of the island.
25 Tomorrow morning we will commence securing our cargo

1 with additional storm lashing as needed. All
2 departments have been instructed to secure their areas.
3 And I will keep you duly notified throughout the
4 voyage. Should you have any questions or concerns
5 kindly contact this vessel."

6 Were you aware of the discussion that
7 Captain Davidson was sending that message ashore?

8 MR. BAIRD: He counseled with me before he
9 sent it.

10 MR. FAWCETT: Okay. At 10:46 a.m. there is
11 a message from Don to Tim Nolan, the company president,
12 that says, "Thanks for the update, Don. Let's make
13 sure that we stay in communication. Stay safe to
14 everyone at sea."

15 And there's another message that comes in
16 from Phil Morell to the El Faro and it copies a whole
17 string of people. But it says, "Voyage plan noted and
18 concur with your assessment. Please keep all update as
19 the situation changes" and it's signed Phil Morrell.

20 Were you aware that he had concurred with
21 the voyage plan?

22 MR. BAIRD: No.

23 MR. FAWCETT: And then just one other thing.

24 MR. BAIRD: That's a correspondence between
25 the captain.

1 MR. FAWCETT: Yes.

2 MR. BAIRD: Yes.

3 MR. FAWCETT: But I'm just saying were you
4 aware that shore side had in any way concurred with
5 that plan?

6 MR. BAIRD: I was aware that he was going to
7 communicate to the shore.

8 MR. FAWCETT: Okay. And then on El Faro,
9 had you deviated through Old Bahama Channel before
10 while you were aboard?

11 MR. BAIRD: We did that one time.

12 MR. FAWCETT: No, other than that.

13 MR. BAIRD: No, we had no reason to. It's
14 been good weather.

15 MR. FAWCETT: And then there's another
16 message that talks about the voyage. And they talk
17 about a weeping economizer in the boiler. And they
18 didn't want to bypass that boiler. Are you aware that
19 on that voyage in August there were boiler issues?

20 MR. BAIRD: Yeah. It was an older ship and
21 they had problems here and there. But it was never an
22 issue as far as the safety of the vessel was concerned.

23 MR. FAWCETT: And then just finally in one
24 of the messages the captain sends ashore he talks about
25 the ship laboring. What would that mean to you as a

1 seafarer?

2 MR. BAIRD: It's rolling. It's working.

3 MR. FAWCETT: And then were there any bridge
4 meetings with the bridge team that talked about going
5 easier on the speed or reducing RPM because you didn't
6 want to overwork the boiler? Did you run down on that
7 voyage at your normal 20.4 knots that you discussed?

8 MR. BAIRD: I don't remember going slower.
9 You're getting specific. I don't remember that. I
10 don't remember going down there at reduced RPMs.

11 MR. FAWCETT: It was a couple of months ago.
12 I understand that. That's all I have for now. Thanks.

13 MR. KUCHARSKI: [REDACTED]

14 MR. [REDACTED] [REDACTED] [REDACTED] with the Coast
15 Guard. Can you briefly describe for us the weather
16 routing service that is available on the Isla Bella?

17 MR. BAIRD: That's the new ship.

18 MR. [REDACTED] The new ship, Isla Bella.

19 MR. BAIRD: Yes. This version right here,
20 this weather version, the most recent. Plus they have
21 a service called weather routing where the weather
22 people, the BVS people, will actually give you a route
23 that they recommend.

24 MR. [REDACTED] Right. That's what I'd like
25 you to describe.

1 MR. BAIRD: I don't know too much about it.
2 I really don't.

3 MR. [REDACTED] Did you say you used it?

4 MR. BAIRD: We use it on the west coast. It
5 was maybe a month and a half ago when they said the
6 biggest hurricane that ever hit the west coast. We
7 used that to keep away from it which we did. But
8 that's the only time I think we ever used it. You only
9 use it in bad weather.

10 MR. KUCHARSKI: This is Mike Kucharski.
11 Charlie, are you aware of any distances you had to tell
12 them that you wanted to be? Did the captain ask you a
13 particular distance that you wanted to be from the
14 hurricane? Did that have to be given to BVS?

15 MR. BAIRD: For which storm?

16 MR. KUCHARSKI: On the Isla Bella coming
17 down.

18 MR. BAIRD: We kept like 400 miles away.

19 MR. KUCHARSKI: Was the information given to
20 BVS as far as the weather routing went?

21 MR. BAIRD: I don't know. I wasn't in that
22 loop.

23 MS. SERRIDGE: This is Melissa Serridge with
24 TOTE Services. Charlie, when you were on Isla Bella
25 what position were you sailing as?

1 MR. BAIRD: I was sailing as third mate.

2 MS. SERRIDGE: Does third mate usually have
3 weather responsibility or is it second mate?

4 MR. BAIRD: He'll have some weather
5 responsibilities, you know, reporting the weather.

6 MS. SERRIDGE: But not to the same degree as
7 a second mate.

8 MR. BAIRD: It depends on how interactive
9 the second mate wants to be and how much responsibility
10 he wants to take on. I don't think the second mate is
11 Mr. Weather, you know.

12 MS. SERRIDGE: I was just curious if there
13 was a difference in your duties with regard to that
14 between the Isla Bella and the El Faro why you wouldn't
15 have as much interaction with the storms.

16 MR. BAIRD: Just different personalities. I
17 was more --

18 MS. FINSTERBUSCH: I just want to go back to
19 the safety alerts.

20 MR. KUCHARSKI: Name please.

21 MS. FINSTERBUSCH: Patty Finsterbusch, TOTE
22 Services. On the safety alerts, do you know what TOTE
23 Services' purpose is of the safety alert? Why do they
24 send safety alerts?

25 MR. BAIRD: For product deficiencies or if

1 there's a problem that they recognize that we aren't
2 aware of.

3 MS. FINSTERBUSCH: So you would say it's
4 more to provide general knowledge of something that's
5 been passed onto us by the Coast Guard or something
6 like that?

7 MR. BAIRD: Yes.

8 MS. FINSTERBUSCH: Okay. If there was a
9 specific communication of a specific incident that they
10 wanted to tell the captain, would they send it out as a
11 safety alert or would it be more likely just a private
12 email to the captain?

13 MR. BAIRD: I really don't know.

14 MS. FINSTERBUSCH: If it was something where
15 they wanted to tell the captain there's a storm coming,
16 would that from your past experience be sent as a
17 safety alert? Or would that be more likely just a
18 communication to the captain?

19 MR. BAIRD: That would be like a
20 communication. That would be mono on mono.

21 MS. FINSTERBUSCH: Thank you.

22 MR. RICHARDS: Mike Richards, NTSB. Just a
23 couple more follow-up questions on the weather topic.
24 Did you have access to BVS user manual?

25 MR. BAIRD: No. No, I didn't. I think it

1 was in the captain's office, but I personally did not
2 have access to it.

3 MR. RICHARDS: Okay.

4 MR. BAIRD: I could have gotten access to it
5 just by asking.

6 MR. RICHARDS: So let me ask. Did you ever
7 refer to the BVS user manual?

8 MR. BAIRD: No. I find manuals can be
9 confusing.

10 MR. RICHARDS: Okay.

11 MR. BAIRD: I find them confusing. That's
12 why I'll call the help lines and speak to a person
13 instead of trying to wade my way through a manual.

14 MR. RICHARDS: We spoke with AWT which is
15 the company that provides the BVS system. They told us
16 that the emails that were sent to the El Faro with the
17 updated weather files were sent to an address. I'll
18 read the address. It's capt.wfjk@globalmail.com. Are
19 you familiar with this email address?

20 MR. BAIRD: That would be the captain's
21 email address.

22 MR. RICHARDS: Does anybody else have access
23 to this email account? Let me rephrase that. Do you
24 have access to that email account?

25 MR. BAIRD: No, I can send him email. But I

1 don't have access to it unless I went to his personal
2 computer.

3 MR. RICHARDS: I see. So this is getting
4 down line. I did not know if this email account was
5 available on different computers on the ship and you on
6 the bridge would have open access to the emails that
7 were sent to this email account.

8 MR. BAIRD: Maybe there was a way to access
9 it. But I am not aware of it. I can't do it.

10 MR. RICHARDS: Okay. Thank you. Did you
11 ever have a discussion with Danielle Randolph about her
12 practices for using BVS or other weather information
13 while on board the El Faro?

14 MR. BAIRD: No.

15 MR. RICHARDS: Two more questions. And you
16 may have stated this earlier and I don't remember. So
17 I apologize if you did. While on board the El Faro,
18 was there to the best of your knowledge ever the option
19 to contract with BVS or another routing service for
20 weather routing services for individual voyages?

21 MR. BAIRD: If there was, I wasn't aware of
22 it. That was not part of my duties.

23 MR. RICHARDS: Okay.

24 MR. BAIRD: You would be purchasing an
25 additional service. And that's not me.

1 MR. RICHARDS: Last question. With regard
2 to several months ago, the reroute through the -- I
3 shouldn't say the reroute -- the alternative route
4 through the Bahama Channel. Is that correct?

5 MR. BAIRD: Yes.

6 MR. RICHARDS: Old Bahama Channel. The
7 context that we've been talking about that alternative
8 route has been with regarding weather. And in my head,
9 I hear this as weather avoidance. But I don't think
10 we've discussed specifically what were your concerns
11 with that voyage and specifically what were your
12 concerns that you discussed with the captain to take
13 alternative route?

14 MR. BAIRD: My concerns were the weather to
15 begin with with the beginning of a hurricane. And one
16 of my big concerns was we had six Polish workers on
17 board and two chief engineers. You're talking eight
18 high paid workers who wouldn't be able to work. And
19 the Polish guys were welders. So I told them "If we go
20 the regular route, we're going to roll and get beat up
21 a little bit."

22 If we go the Old Bahama Channel route, we
23 get eight guys that are going to be able to work. They
24 were welding above deck on man lifts they call them.
25 And they wouldn't be able to work. So you had eight

1 high paid guys that wouldn't be able to do anything.

2 I said, "Let's go the Old Bahama Channel
3 route. It will be calm. They can work. We might get
4 some wind, but we won't get the big seas. And we can
5 go our regular speed and not have to worry about it."
6 So we went the Old Bahama Channel route which I'm glad
7 they did.

8 MR. RICHARDS: Were there any safety
9 concerns for taking the normal route?

10 MR. BAIRD: It's safer going that route.
11 Going the Old Bahama Channel route when there's a storm
12 in the North Atlantic is the safer alternative to go
13 because you will not have the seas that you have
14 outside.

15 In this particular instance, the guys can
16 work. We were retrofitting the ship for Alaska and you
17 had eight people that wouldn't be able to work because
18 they would be rolling all over the place. This way
19 they could work. And it only cost you 160 miles.
20 Whereas, if you go the regular route, you're going to
21 have to slow down. You don't gain anything by going
22 the shorter distance at a slower speed than you can go
23 a little bit longer at a higher rate of speed.

24 MR. RICHARDS: I have to apologize. I'm not
25 a mariner. So I'm trying to make sure I understand the

1 ins and outs of the job and industry wise this works
2 for individual voyages.

3 So let me just ask one more thing in a
4 little different way. If these workers, the Polish
5 workers, and the chief engineers had not been on board
6 or they had been on board, but they hadn't had duties
7 that required them to be in positions where higher seas
8 would have compromised their ability to do their jobs,
9 do you think you still would have suggested the
10 alternative route?

11 MR. BAIRD: I would have still counseled the
12 alternative route.

13 MR. RICHARDS: Thank you.

14 MR. BAIRD: Just because I'd been in that
15 kind of weather before and it's hard on the ship and
16 it's hard on the people. People get hurt.

17 MR. RICHARDS: Thank you, Charlie, for your
18 answers.

19 MR. BAIRD: Okay.

20 MR. RICHARDS: I'm done.

21 MR. KUCHARSKI: Charlie, this is Mike
22 Kucharski. Just a follow-up on BVS. Did you talk to
23 anybody at TOTE shore side about the BVS or the BVS
24 subscription?

25 MR. BAIRD: No.

1 MR. KUCHARSKI: Anyone around the room
2 before I open it up to the phone?

3 (No verbal response)

4 Anyone on the phone have weather related
5 questions?

6 MR. FURUKAWA: Yes. Jon Furukawa, NTSB.
7 Charlie, did I hear you correct that you said the
8 farthest you were away from a hurricane was -- I'm
9 sorry -- the closest you got to a hurricane on this
10 route was about 100 miles?

11 MR. BAIRD: In the past, it was around 100
12 miles, maybe a little less.

13 MR. FURUKAWA: And that was not using the
14 Old Bahama Channel. That was with (Inaudible) and the
15 storm.

16 MR. BAIRD: Right. That's correct.

17 MR. FURUKAWA: And at that distance, there
18 was seasickness and not being able to make (Inaudible)
19 and cargo damage?

20 MR. BAIRD: Some people -- There's different
21 forms of different versions of seasickness. People get
22 sleepy.

23 MR. FURUKAWA: Okay.

24 MR. BAIRD: We took damage to the ship and
25 we had to reduce RPMs.

1 MR. FURUKAWA: And you said in the voyage on
2 the new ship from San Diego the instructions from BVS
3 was not to get any closer than 400 miles away from the
4 storm. Is that correct?

5 MR. BAIRD: Well, I don't know exactly what
6 they instructed the captain because the captain was in
7 contact with them. But the closest we ended up getting
8 I think was 400 miles.

9 MR. FURUKAWA: Four hundred miles, okay.
10 Thank you very much. That's all that I have.

11 MR. BAIRD: Okay.

12 MR. KUCHARSKI: Kevin.

13 MR. STITH: Yes, this is Kevin Stith with
14 TOTE Services. Charlie, a couple of quick questions
15 about your experience on the El Faro regarding weather
16 conditions. In your experience, what would you say
17 would be like the largest seas that you've encountered
18 on the El Faro? And how did the ship handle in those
19 seas?

20 MR. BAIRD: I think the largest I've run
21 into was probably 20 foot seas. And she handled it
22 nice. Remember I said before that the last two years
23 it's been very good weather. We haven't had any
24 hurricanes to speak of and we didn't get into any rough
25 weather. Probably 20 foot seas and she handled it

1 nice.

2 MR. STITH: Okay. Thank you. As far as
3 wind, did you ever notice any changes in ship handling
4 due to a wind, let's say, a broad side wind as opposed
5 to like a head wind or anything? It would send you one
6 way or list the ship over or anything like that.

7 MR. BAIRD: Well, if there was a lot of wind
8 it would definitely slow us down. And the ship would
9 have a tendency to point into the wind. If that's what
10 you mean --

11 MR. STITH: Yes.

12 MR. BAIRD: -- it would slow us down.

13 MR. STITH: Yes, one last question about
14 your experience when you were approximately 100 miles
15 from the hurricane or a hurricane that you experienced
16 on there. How much, if you can remember, did you slow
17 down to to reduce the effects of the storm on the ship?

18 MR. BAIRD: The instance I recall, we
19 altered course and we sped up to get away from it.

20 MR. STITH: Okay. I see. All right. Those
21 are my questions. Thank you.

22 MR. BAIRD: Okay.

23 MR. KUCHARSKI: Kevin, you jogged my mind to
24 ask some more questions here. Sorry.

25 MR. STITH: Sorry.

1 MR. KUCHARSKI: No, that's okay. That's all
2 good.

3 MR. STITH: I'm apologizing to Charlie.
4 (Laughter)

5 MR. KUCHARSKI: So on El Morro, sister ship,
6 you spent quite a bit of time on there, too.

7 MR. BAIRD: Yes.

8 MR. KUCHARSKI: How about list in the wind?
9 Did she list in the wind?

10 MR. BAIRD: Yes.

11 MR. KUCHARSKI: Strong. Were you on board
12 the El Morro?

13 MR. BAIRD: It wasn't an uncomfortable list,
14 but probably a degree and a half maybe.

15 MR. KUCHARSKI: And was that in the storm
16 winds you were talking about?

17 MR. BAIRD: Just in Force five.

18 MR. KUCHARSKI: Force five.

19 MR. BAIRD: You know 17 to 25 knots you'll
20 take a list. It's not much.

21 MR. KUCHARSKI: From the wind, not a roll.
22 But from the wind, she will list.

23 MR. BAIRD: From the wind. You mentioned 20
24 foot seas on the El Faro.

25 MR. BAIRD: Yes.

1 MR. KUCHARSKI: How about on the El Morro,
2 the sister ship? You said she's basically the same.
3 What kind of seas were you on her?

4 MR. BAIRD: Everything.

5 MR. KUCHARSKI: Everything. Well, tell me
6 everything. Were you in 100 footer?

7 MR. BAIRD: Well, 40 to 50 foot, I don't
8 think there are many sailors that have survived 50 foot
9 waves. They might say they have. But 50 foot is a
10 serious wave. A serious wave. I bet you 50 foot.

11 MR. KUCHARSKI: On the El Morro.

12 MR. BAIRD: Yes.

13 MR. KUCHARSKI: Now what direction was that
14 wave coming from? Do you remember?

15 MR. BAIRD: If we have seas like that, we're
16 going to try and take them just off the bow. If we get
17 it on the beam, we've got problems. We're going to
18 roll. Any ship was going to roll with those kind of
19 seas. So if the seas are coming at you, we're take it
20 maybe three or four degrees to either side of the bow.
21 We find she'll ride best that way.

22 MR. KUCHARSKI: How about the big seas on
23 the quarter? Were you in big seas on the quarter?

24 MR. BAIRD: Yes. She'll roll, but not
25 excessively. They handled very well, those ships. At

1 least, I always felt safe on them.

2 MR. KUCHARSKI: Okay. Weather related
3 questions around the room before we open it up?

4 MR. [REDACTED] [REDACTED] [REDACTED] with the Coast
5 Guard. Just one quick follow-up on the anemometer. Do
6 you happen to recall approximately when it stopped
7 working properly or how long that might have been?

8 MR. BAIRD: Probably a year ago, a year and
9 a half.

10 MR. [REDACTED] Thanks.

11 MR. KUCHARSKI: Mike Kucharski back. Going
12 to --

13 MR. STOLZENBERG: Mike, may I ask a
14 question?

15 MR. KUCHARSKI: Who?

16 MR. STOLZENBERG: Eric Stolzenberg, NTSB.
17 Along these lines.

18 MR. KUCHARSKI: Okay.

19 MR. STOLZENBERG: You mentioned that the
20 voyage was within 100 miles of the hurricane. During
21 that voyage or any other voyage, either on the El Morro
22 or the El Faro, had you ever witnessed water enter the
23 cargo hold vents that are on the two decks or have you
24 ever heard of anyone who had seen water enter those
25 vents?

1 MR. BAIRD: No, I never witnessed water
2 below decks because of the storm like that. And I
3 would know.

4 MR. STOLZENBERG: And if there was water
5 below decks, where would it manifest itself if it were
6 to come down those vents to your knowledge?

7 MR. BAIRD: It would either come down
8 through a scuttle which are little hatches to get down
9 below decks or depending on what damage was done it
10 could possibly get down through the fan. I guess you
11 would call it fan cowlings. But chances are I've
12 never seen it like that. It would get down --

13 MR. STOLZENBERG: Okay.

14 MR. BAIRD: Okay.

15 MR. STOLZENBERG: That's all.

16 MR. KUCHARSKI: This is Mike Kucharski.
17 Were there any heavy weather precautions that were
18 taken on the ship?

19 MR. BAIRD: If we're leaving a port and we
20 know there's weather we ask for what we call hurricane
21 lashing which means they put extra chain on. I don't
22 know if they put extra. But we go around and make sure
23 every day that the chains have not worked themselves
24 loose. They will have a tendency if you do that.

25 If you're rolling a lot, the chains that are

1 tight today won't be tight tomorrow because the vessel
2 works. So you're constantly tightening up chains
3 especially if it's rolling and it's rough.

4 MR. KUCHARSKI: When you're talking about
5 chains, you're talking about the row-row cargo.

6 MR. BAIRD: Right. The chains holding down
7 them.

8 MR. KUCHARSKI: Did you ever see any break
9 loose?

10 MR. BAIRD: Oh yeah.

11 MR. KUCHARSKI: You did see them break
12 loose.

13 MR. BAIRD: Yes.

14 MR. KUCHARSKI: Okay. Was that on El Faro
15 or El Morro?

16 MR. BAIRD: El Morro.

17 MR. KUCHARSKI: El Morro. How about D rings
18 that pulled out of the deck or broken D rings or
19 buttons, the buttons where the rollocs?

20 MR. BAIRD: That happens. That's part of
21 just daily maintenance, you know, trip maintenance.
22 They break and they get repaired.

23 MR. KUCHARSKI: And for the transcriber it's
24 rolloc, R-O-L-O-C. Anything else on weather related
25 type questions?

1 (No verbal response)

2 Mike Kucharski again. Captain Davidson in
3 bridge resource management, how did he handle bridge
4 resource management and assignments on the bridge?

5 MR. BAIRD: He would sit down and he would
6 talk with us and go over things. He was pretty
7 meticulous as far as his paperwork was concerned.

8 MR. KUCHARSKI: Bridge resource, what I'm
9 talking about is coming in and out port where certain
10 personnel have certain functions coming in and out of
11 port or at sea or wherever it may be where you had
12 situations.

13 MR. BAIRD: If I was making arrival with
14 him, I would be in control up to a certain point and
15 he'd make it quite clear I have the -- They call it I
16 have the con. I have the bridge. So now I'm in
17 control basically type thing. I mean he would be in
18 control. If that's what you mean, he would verbally
19 take over which is the good procedure.

20 MR. KUCHARSKI: And then did he assign you
21 duties to do while he took over?

22 MR. BAIRD: Yes. That would be I guess you
23 would say in a subordinate position. I'd be watching
24 the radar or something else while he is looking for
25 something, for his pilots or whatever.

1 MR. KUCHARSKI: Did you feel comfortable
2 challenging his decision, saying "I don't think this is
3 right" or "We should be doing this"?

4 MR. BAIRD: I'm not bragging, but I had no
5 problems questioning his decisions at all.

6 MR. KUCHARSKI: And how did he take them?

7 MR. BAIRD: He took them good from me. I
8 don't know if that was because I was older than him or
9 what. But he took them from me. He understood that I
10 had been on this route for a long time and I've seen
11 it.

12 MR. KUCHARSKI: Thank you, Charlie.

13 MS. BELL: Carrie Bell, NTSB. Related to
14 that question that Mike just asked you, did you ever --
15 You said he didn't have a problem or you don't feel
16 like he had a problem when you questioned a decision he
17 might have made. What about if someone else on the
18 team questioned a decision he made?

19 MR. BAIRD: See, I don't know. I can't -- I
20 wasn't there to see how he reacted to other people
21 doing that.

22 MS. BELL: While you were on the bridge.

23 MR. BAIRD: I know he would say with me "I
24 never had a problem."

25 MS. BELL: And you never experienced anyone

1 else.

2 MR. BAIRD: I never witnessed anybody having
3 a problem.

4 MS. BELL: Okay. In general, can you just
5 describe Captain Davidson's -- the general working
6 environment when he was captain and you were second
7 mate?

8 MR. BAIRD: Very meticulous. Dot your I's
9 and cross your T's. That's just the way he was. He
10 ran a good bridge as far as I could determine when he
11 was with me. That's about all I can add on that.

12 MS. BELL: Did he get along with everyone on
13 the bridge?

14 MR. BAIRD: When I was with him, we didn't
15 have any real personality problems. I knew there were
16 personality problems that were going around. It didn't
17 affect me or the people. I didn't see it affecting the
18 other people I was with.

19 MS. BELL: Did you say it did or did not
20 affect the working environment if there were personal
21 conflicts?

22 MR. BAIRD: When I was there, there was no
23 conflict.

24 MS. BELL: I'm specifically talking about
25 your experience and what you've seen and what you've

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1 witnessed.

2 MR. BAIRD: Yes.

3 MS. BELL: Can you talk a little bit about
4 crew fatigue? You mentioned your work schedule. You
5 worked 12 to four, 12 to six.

6 MR. BAIRD: Yes.

7 MS. BELL: Did you ever -- How would you
8 characterize fatigue in the work environment?

9 MR. BAIRD: It was definitely an issue. We
10 have strict guidelines now where we can only work a
11 certain amount of time. And we follow them. I mean
12 they delayed the Isla Bella leaving. The new ship,
13 they delayed it leaving Jacksonville I think because
14 everybody was over their work hours. And they wouldn't
15 let them leave until the following morning. So they're
16 pretty strict on it.

17 MS. BELL: Would you say there's still a
18 problem with fatigue even though you're following the
19 work hours?

20 MR. BAIRD: Everybody wants to sleep more.
21 Some people handle work differently than other people.
22 Some people are going to complain about working too
23 hard and other people are just going to do it.

24 MS. BELL: Did you ever take anything to
25 keep you awake or help you sleep when you were not on

1 duty?

2 MR. BAIRD: No. Coffee to keep up. But no,
3 I never took sleeping pills or anything like that.

4 MS. BELL: Do you know if anyone else did or
5 talked about it?

6 MR. BAIRD: What? Melatonin. I've heard
7 people try that stuff. I don't know anything about it.

8 MS. BELL: Okay.

9 MR. BAIRD: Do I know of anybody that did?
10 No.

11 MS. BELL: Okay.

12 MR. BAIRD: I just heard little scuttlebutt
13 rumors.

14 MS. BELL: Yes. So you said that there was
15 some personal conflict. I don't know specifically what
16 you're referring to, but let me just ask you about
17 something we've heard just in some of the interviews
18 we've done. The new ships were coming and some people
19 were getting selected. And some people may not have
20 been getting selected. And who knew what and all of
21 that. It seemed like there was some conflict there.

22 Do you -- I heard you say that you had
23 worked on the LNG ship coming down from San Diego.

24 MR. BAIRD: Yes.

25 MS. BELL: Was there conflict regarding that

1 that you're aware of? You know, some people got the
2 job and some people did not.

3 MR. BAIRD: Davidson didn't like it. And
4 that's common knowledge. He didn't like not being
5 selected at all. Apparently he made a couple of
6 people's lives not so pleasant. But I never witnessed
7 any of that. I don't know if I have to mention names
8 or. But he was unpleasant to a couple guys that I know
9 of.

10 MS. BELL: Are you comfortable saying
11 anything about the unpleasantries?

12 MR. BAIRD: Well, I only heard that he was a
13 arrogantly belligerent to a couple guys. But again I
14 didn't hear it. So it's only secondhand knowledge in a
15 way.

16 MS. BELL: So you never witnessed any of
17 that yourself.

18 MR. BAIRD: No.

19 MS. BELL: Okay. Thank you. I'm going to
20 pass him on.

21 MR. FAWCETT: Yes, Keith Fawcett, Coast
22 Guard. Can you say who those people were?

23 MR. BAIRD: Yeah. You're going to have one
24 of them this afternoon, Ray Thompson and I think he was
25 kind of jerky to Alejandro there, the second mate on

1 the ship now. When he found that certain people were
2 going to that LNG class, he was upset that he wasn't
3 going. And I guess he verbalized his upsetness (sic)
4 to these particular people.

5 MR. KUCHARSKI: Mike Kucharski. Did he
6 verbalize to you that he was upset?

7 MR. BAIRD: Oh yeah.

8 MR. KUCHARSKI: Okay.

9 MR. BAIRD: That he wasn't one of the
10 chosen.

11 MR. KUCHARSKI: This is Mike Kucharski. I'd
12 like you know the hearsay stuff. Let's keep it please
13 as personal knowledge as much as we can.

14 MR. BAIRD: Okay.

15 MR. FAWCETT: Keith Fawcett, resuming. Did
16 Captain Davidson talk to you directly about what he
17 thought were the reasons he was not selected?

18 MR. BAIRD: No, he never gave me the reasons
19 why he thought he was not selected. He might have
20 mentioned age. I think he did mention age once. But
21 for the most part, he couldn't understand why he was
22 not selected.

23 MR. FAWCETT: A couple of things you talked
24 about previously. When Mike Kucharski asked you some
25 questions about resource management, you responded

1 talking in reference to the captain and yourself. I'm
2 curious why you didn't talk about like the bridge team
3 as all of the officers together. In other words --

4 MR. BAIRD: I know what you're saying. I
5 should have said the team because we'd have a meeting
6 at 10:00 a.m. Usually it would be 10:20 a.m. or 3:20
7 p.m. And then we would have all the officers together.
8 And he would go over certain things that he wanted to
9 go over.

10 MR. FAWCETT: At any of those meetings, did
11 he talk about the decision to use the Old Bahama route
12 in August?

13 MR. BAIRD: No, that was a conversation
14 between me and him alone.

15 MR. FAWCETT: So you left the ship, signed
16 off on the 18th of September, correct?

17 MR. BAIRD: Right.

18 MR. FAWCETT: Between the time that you took
19 the Old Bahama route and the 18th of September, were
20 there any discussions about the use of the Old Bahama
21 route and anything that TOTE might have thought of it
22 or any sort of feedback you got from TOTE that you're
23 aware of personally that they said that it's a longer
24 route?

25 MR. BAIRD: No, the only thing I ever recall

1 hearing is that they vat the decision to do the route.

2 MR. FAWCETT: Going back to the selection
3 for the new ships, Captain Davidson wasn't selected.
4 Other people were. Captain Thompson was selected,
5 correct?

6 MR. BAIRD: Yes.

7 MR. FAWCETT: They brought a new guy in,
8 Captain Mayer, relatively new.

9 MR. BAIRD: Yes.

10 MR. FAWCETT: I mean he hadn't been with
11 TOTE for very long. Do you know why, for example, you
12 were selected as a second mate for the ship and Ms.
13 Randolph was not selected?

14 MR. BAIRD: No, I don't know.

15 MR. FAWCETT: Thank you, Charlie.

16 MR. BAIRD: Okay.

17 MR. KUCHARSKI: This is Mike Kucharski back.
18 On the phone, anybody have questions?

19 MR. FURUKAWA: None for Jon.

20 MR. STOLZENBERG: None for Eric.

21 MR. STITH: Nothing from Kevin.

22 MR. KUCHARSKI: Doggone. Kevin, you still
23 jogged my memory. This is Mike Kucharski. I can't
24 help myself.

25 MR. STITH: Okay.

1 MR. KUCHARSKI: What are your plans now?
2 You're on vacation. What are your plans moving
3 forward? Are you going on one of the TOTE ships?

4 MR. BAIRD: I really don't know. I guess
5 I've got to talk to Melissa and Lee about that.

6 MR. KUCHARSKI: Okay.

7 MR. BAIRD: I just don't know. I'm on
8 vacation now.

9 MS. BELL: Carrie Bell, NTSB. I've got a
10 couple more questions. You were talking earlier about
11 the safety meetings. We didn't talk at all about
12 safety drills or anything like that. I just had a
13 question about when you had the monthly safety
14 meetings. I know that the Polish welding gang was on
15 board during the recent past. Do you know if they
16 participated in the safety meetings?

17 MR. BAIRD: No, they wouldn't have. They
18 couldn't speak English. So it wouldn't -- They had one
19 guy I think that spoke a little bit of English. That's
20 the guy we would talk to. He would communicate to the
21 other guys. If they could speak English, it was very
22 broken and you couldn't understand what they were
23 saying.

24 MS. BELL: So when you had any kind of
25 safety drills, would they participate in those?

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1 MR. BAIRD: When we had like a fire and boat
2 drill or whatever, they would be in there. They would
3 have to report to the bridge. And that's as far as
4 we'd make them do. They report to their boat station.
5 But as far as any specific duties, we didn't make them
6 do anything.

7 MS. BELL: Just to clarify, you said only
8 one of them could speak English.

9 MR. BAIRD: That you could understand.

10 MS. BELL: Okay.

11 MR. BAIRD: The rest of them were Polish.

12 MS. BELL: Okay. Thank you.

13 MR. BAIRD: Okay.

14 MS. FINSTERBUSCH: Patty Finsterbusch, TOTE
15 Services. Two questions. When the Polish workers came
16 on board, was there any process that they went through
17 to understand where they would muster and stuff?

18 MR. BAIRD: Yes, there would be an
19 indoctrination procedure where they would be told where
20 their boat was and where their gear is. That would
21 have been done by the chief officer. Well, actually
22 that would have been done by the chief engineer.

23 MS. FINSTERBUSCH: Because they were
24 working in the engine room.

25 MR. BAIRD: Because they were working in the

1 engine room, yes.

2 MS. FINSTERBUSCH: When did you find out
3 that you were selected to go on the Isla Bella? How
4 long ago?

5 MR. BAIRD: Maybe a week after I got --
6 Maybe two weeks before I got off work. They were going
7 to send me to an LNG class in Houston.

8 MS. FINSTERBUSCH: So that was in September.

9 MR. BAIRD: Yes.

10 MS. FINSTERBUSCH: Okay. So they were still
11 making selections obviously since you just found out in
12 September.

13 MR. BAIRD: Yes.

14 MS. FINSTERBUSCH: So was it possible that
15 there were still people working on the El Faro and the
16 El Yunque that might be selected for the second ship?

17 MR. BAIRD: Oh yeah.

18 MS. FINSTERBUSCH: Okay. Thank you.

19 MR. BAIRD: They needed replacement people,
20 too. You can't have the same people working six months
21 at a time.

22 MS. FINSTERBUSCH: So there was still a
23 chance for, a possibility, other crew members to still
24 make the transition over.

25 MR. BAIRD: Oh yeah.

1 MS. FINSTERBUSCH: Okay. Thank you.

2 MR. STITH: This is Kevin Stith with TOTE
3 Services. Charlie, after you found out that you would
4 be going to that LNG class, did Captain Davidson know
5 that that was the reason you were getting off?

6 MR. BAIRD: He knew, but he didn't say
7 anything negative to me about it.

8 MR. STITH: So it didn't seem like he
9 treated you different or anything like that after he
10 found out.

11 MR. BAIRD: No. I can tell you right now
12 that he did not treat me any differently.

13 MR. STITH: Okay. Thank you.

14 MR. KUCHARSKI: This is Mike Kucharski.
15 Kevin, you got my thinking going again here. Only
16 kidding. At the fire and boat drills, did they ever
17 during your time on board the El Faro put on immersion
18 suits, try them out?

19 MR. BAIRD: I don't recall. I know they had
20 just had them recertified, all of them. Everybody had
21 an immersion suit. Now do I recall having a drill
22 where everybody put them on? No, I don't recall.

23 MR. KUCHARSKI: Were you given any
24 instruction on how to wear that immersion suit?

25 MR. BAIRD: Well, we all know how to put

1 them on.

2 MR. KUCHARSKI: How about closing the flap
3 going over the face? Was that regularly checked?

4 MR. BAIRD: When you put them on you would
5 close it and they would check to make sure it's
6 velcroed.

7 MR. KUCHARSKI: So you don't recollect going
8 around during any drills and checking to see that the
9 crew were properly --

10 MR. BAIRD: I don't recall, no.

11 MR. KUCHARSKI: Did you see the riding crew
12 besides reporting to the bridge don their life jackets
13 and report to the abandoned life station?

14 MR. BAIRD: They would bring their life
15 jackets as I recall. We weren't overly concerned with
16 them. They were laborers and they would report and go
17 about their work.

18 MR. KUCHARSKI: But you said they reported
19 to the bridge. Did you see them report to the --

20 MR. BAIRD: After the bridge, they would
21 head down to the lifeboat, whichever boat it was. I
22 think they were boat number two. And then they'd go
23 back to work.

24 MR. KUCHARSKI: So you would see them report
25 to the boat, okay. Thank you.

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1 MR. FAWCETT: Keith Fawcett, Coast Guard.
2 Just a follow-up to the same abandoned ship. When you
3 had your drills when you were aboard, do you remember
4 what type of events would kick off abandon ship drills?
5 Usually, there's an event and then they go to abandon
6 ship.

7 MR. BAIRD: Well, you'd have various
8 scenario, be it a paint locker fire or a galley fire or
9 a fire in the laundry. And then it would escalate to
10 where it lost control. They would simulate that. And
11 then they would have an abandon ship. There were
12 different scenarios they could have for a fire.

13 MR. FAWCETT: Do you recall any of them
14 related to collision?

15 MR. BAIRD: Yes, there would be collision
16 and groundings, stranding of a vessel. There would be
17 different scenarios.

18 MR. FAWCETT: And do you recall who -- Can
19 you walk me through what happen with the epurb?

20 MR. BAIRD: With the epurb?

21 MR. FAWCETT: Yes. When you were in the
22 drill situation, what happened with the epurb when you
23 transitioned to abandon ship?

24 MR. BAIRD: The epurb would be the
25 responsibility of maybe somebody from the steward's

1 department. They would usually take the lifeboat
2 radios and the SARTS and the epurb down to one of the
3 boats. There would be specific people assigned that
4 duty.

5 MR. FAWCETT: And to just the best of your
6 recollection, it wasn't a ship's officer. It would
7 have been the steward's department.

8 MR. BAIRD: Let me think. I thought it was
9 the steward's department. The head steward would come
10 up and get the lifeboat radios. I'm thinking on the
11 Isla Bella now. The steward would come up and grab the
12 lifeboat radios and the SARTS. I have to look at the
13 station bill.

14 MR. FAWCETT: And where else could I find
15 who was supposed to do that on the ship? I'm talking
16 about the El Faro.

17 MR. BAIRD: It would be on the station bill.

18 MR. FAWCETT: Anywhere else?

19 MR. BAIRD: Not that I'm aware of.

20 MR. FAWCETT: Like the SMS or the OMV or the
21 EM?

22 MR. BAIRD: Possibly. But I know it would
23 be on the station bill.

24 MR. FAWCETT: Thank you, sir.

25 MR. BAIRD: Okay.

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1 MR. RICHARDS: Is this on any topic? Real
2 quick question. You had indicated that you had made a
3 phone call --

4 MR. KUCHARSKI: Name please.

5 MR. RICHARDS: Mike Richards, NTSB. That
6 you had made a phone call at some point to receive
7 support on the usage of BVS.

8 MR. BAIRD: Yes.

9 MR. RICHARDS: Who did you call?

10 MR. BAIRD: I have her name.

11 MR. RICHARDS: I mean do you know who she
12 works for?

13 MR. BAIRD: She worked for BVS.

14 MR. RICHARDS: For BVS.

15 MR. BAIRD: Yes.

16 MR. RICHARDS: Do you recall how you got
17 that phone number?

18 MR. BAIRD: I saw the number. I think we
19 had a brochure from BVS on the bridge.

20 MR. RICHARDS: Okay.

21 MR. BAIRD: And it gave a help line and I
22 called the help line.

23 MR. RICHARDS: And did you say you have
24 currently a contact for the woman you spoke with at
25 that time?

1 MR. BAIRD: Yes. I'm pretty sure I have it
2 in the -- This is on the new ship, the Isla Bella.
3 We're not talking about the El Faro now I assume. This
4 happened on the Isla Bella that I called the weather
5 people.

6 MR. RICHARDS: Okay. Thank you.

7 MR. BAIRD: Okay.

8 MR. KUCHARSKI: Mike Kucharski. Did you
9 have a call to the weather people while you're on El
10 Faro?

11 MR. BAIRD: No.

12 MR. KUCHARSKI: What were your official
13 duties on the station? Did you have emergency squad
14 duties? Emergency party?

15 MR. BAIRD: On the El Faro, I was on the
16 bridge. And that was my station, the bridge.

17 MR. KUCHARSKI: And what were you supposed
18 to do on the bridge?

19 MR. BAIRD: I was basically second in
20 command after the captain. My position was to stay on
21 the bridge.

22 MR. KUCHARSKI: And then to abandon ship,
23 what did you do?

24 MR. BAIRD: Then I went to lifeboat number
25 one.

1 MR. KUCHARSKI: You didn't take anything off
2 the bridge.

3 MR. BAIRD: No, I didn't.

4 MR. KUCHARSKI: And what do you do at
5 lifeboat one?

6 MR. BAIRD: I was in charge of lowering it
7 and that's what I would do.

8 MR. KUCHARSKI: How about life rafts? Did
9 you have any life raft duties?

10 MR. BAIRD: The life rafts were there. We
11 never messed with them. We had informative talks of
12 what to do, how to launch the life raft. But they
13 stayed in their cradle.

14 MR. KUCHARSKI: What were the informative
15 talks in launching? How did you launch one of those
16 life rafts?

17 MR. BAIRD: You have to take it out of its
18 cradle and do the hydrostatic release and make sure
19 it's tied off and throw it over the side.

20 MR. KUCHARSKI: Could you pick one up and
21 throw it over the side?

22 MR. BAIRD: Me personally, no. I'd need
23 another guy to help me.

24 MR. KUCHARSKI: Okay.

25 MR. FAWCETT: Keith Fawcett, Coast Guard.

1 Just to follow up, way back in our conversation you
2 talked about BVS, right? And you talked about putting
3 in the route for the voyage.

4 MR. BAIRD: Yes.

5 MR. FAWCETT: And you talked about putting
6 in the speed.

7 MR. BAIRD: Yes.

8 MR. FAWCETT: Was that completely manual?

9 MR. BAIRD: Yes.

10 MR. FAWCETT: So there was no feed. If you
11 put the speed in wrong, the representation for the ship
12 on the track line in relation to the weather would be
13 incorrect.

14 MR. BAIRD: Right.

15 MR. FAWCETT: Thank you.

16 MR. BAIRD: What you do is you adjust the
17 speed during your voyage to make the ship where it's
18 supposed to be. If you put the wrong speed in, let's
19 say you put in 20 knots and you're making 22. Well,
20 you just adjust the speed so the ship is where it's
21 supposed to be. It reflects the weather where you're
22 at.

23 MR. FAWCETT: Understand. Thank you.

24 MR. [REDACTED] [REDACTED] [REDACTED] with the Coast
25 Guard. In the BVS system, you mention you receive

1 three, maybe four, times a day.

2 MR. BAIRD: Yes.

3 MR. [REDACTED] Do you recall any settings in
4 the BVS system that would allow you to change the
5 frequency or time of day that the package is received?

6 MR. BAIRD: No. That's all sent by shore
7 side people. And it would be sent to the captain and
8 then he turned around and sent it to the bridge. So I
9 have no way of adjusting that when they send it.

10 MR. [REDACTED] Thank you.

11 MR. BAIRD: Okay.

12 MR. KUCHARSKI: On the phone. This is Mike
13 Kucharski. Questions before we wrap it up?

14 MR. STOLZENBERG: No questions. Eric.

15 MR. KUCHARSKI: Jon.

16 MR. FURUKAWA: No questions for Jon.

17 MR. KUCHARSKI: Kevin, you had some SMS
18 questions you wanted to ask before.

19 MR. STITH: I think they've pretty much been
20 covered by everybody else's questions now. I did have
21 a couple of just general questions though.

22 MR. KUCHARSKI: Yes, go for it, Kevin.

23 MR. STITH: Kevin Stith with TOTE Services.
24 Charlie, I know that in your travels throughout the
25 cargo holds and taking ballast soundings and basically

1 during cargo, you're very, very busy. You're with the
2 internals of the ship and the structure and obviously
3 aware of the age, correct?

4 MR. BAIRD: Yes, correct.

5 MR. STITH: So in your travels throughout
6 the cargo holds in particular, did you ever note any
7 what I might call a glaring deficiency, namely any
8 structural deficiencies, cracks, areas that were set in
9 or dented or anything that stood out to you as being a
10 deficiency?

11 MR. BAIRD: No, I never saw any cracks. I
12 saw dents from where tugs might have hit us too hard
13 when we were coming along side. But there were never -
14 - I never noticed any cracks or rust lines or anything
15 like that inside.

16 MR. STITH: Okay. I guess you know for a
17 ship of her age and noting that if you could just
18 describe maybe in a sentence or two how you felt
19 structurally about the ship, especially working on it
20 for quite a number of years.

21 MR. BAIRD: I felt safe.

22 MR. STITH: Did you feel comfortable even
23 with a ship that was 40 years old? Or do you have any
24 reservations because of its age?

25 MR. BAIRD: No, I felt safe on it. I felt

1 comfortable. I had no problem going back to it.

2 MR. STITH: Okay. Great. And one question
3 in regards to Captain Davidson. In your experience
4 with him, did you think that he placed a priority on
5 safety or was concerned with developing safety culture
6 on board the El Faro?

7 MR. BAIRD: I found him very safety
8 oriented. He would regularly have meetings with us
9 about different topics. He was very safe and safety
10 oriented.

11 MR. STITH: Okay. One other question.
12 Would you say that professionally speaking that crew
13 members trusted his judgment as a captain? Or more
14 particularly, did you trust his judgment as a captain?

15 MR. BAIRD: Well, I only had to question him
16 one time when we went our Old Bahama Channel route.
17 Other than that, it was fair seas and nice weather.
18 Hard for me to answer.

19 MR. STITH: Okay. Those are my only
20 questions. Thank you.

21 MR. BAIRD: Okay.

22 MR. KUCHARSKI: Sorry. This is Mike
23 Kucharski. Tying in along with what Kevin just asked
24 about a 40 year old ship, you were the second officer.
25 Then you went over -- You were responsible for

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1 launching the starboard lifeboat if you have to abandon
2 ship.

3 MR. BAIRD: Right.

4 MR. KUCHARSKI: Those are older designed
5 lifeboats, 40 year old. Had you ever lowered those
6 boats in windy conditions?

7 MR. BAIRD: Down to the embarkation deck
8 they call it.

9 MR. KUCHARSKI: Yes.

10 MR. BAIRD: Yes.

11 MR. KUCHARSKI: Can you describe what that's
12 like?

13 MR. BAIRD: In windy conditions, you tell
14 everybody to take their helmets off because they're
15 going to end up losing their helmets. That's the first
16 thing. Otherwise you've got to replace five or ten
17 helmets. But when it's windy, it's more of a
18 challenge.

19 MR. KUCHARSKI: Did you ever not lower
20 lifeboats on a particular week because it was so windy?

21 MR. BAIRD: Wind and roll. If it was
22 rolling, we wouldn't lower them because too much of a
23 chance of damaging the lifeboats. But if it was just
24 windy, most of the time we would lower them. We would
25 not lower them if it was rolling conditions.

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1 MR. KUCHARSKI: If you're in a 100 knot wind
2 on the beam, would you want to lower that lifeboat?

3 MR. BAIRD: Nope. Absolutely not.

4 MR. KUCHARSKI: Any other questions? Keith.

5 MR. FAWCETT: Keith Fawcett, Coast Guard.
6 Since Captain Stith asked you some general sort of
7 judgment questions about the ship, the ship's 40 years
8 old. Had you been on the accident voyage where you
9 departed Jacksonville on the straight run to San Juan
10 would you have felt safe?

11 MR. BAIRD: On the accident voyage?

12 MR. FAWCETT: Correct.

13 MR. BAIRD: I would have counseled against
14 it. I would have counseled going the other way.

15 MR. FAWCETT: But if the intention was to
16 make that run on the direct route down to San Juan,
17 would you have felt safe?

18 MR. BAIRD: I wouldn't felt bad for my life.
19 But I would have been very vocal about my opposition to
20 the route he was taking. And I would have showed him
21 options for cutting out. We have certain points along
22 the way that we could have cut out.

23 MR. FAWCETT: And if you felt as a seafarer
24 aboard the El Faro there was a condition that was
25 unsafe beyond your control, what avenues were available

1 to you?

2 MR. BAIRD: I could call John Lawrence.
3 He's the TOTE man to contact if we have problems with
4 the upper echelon so to speak. Have I ever had to?
5 No, I have not.

6 MR. FAWCETT: Thank you very much.

7 MR. KUCHARSKI: Last call around the room or
8 on the phone?

9 MR. FURUKAWA: Jon Furukawa, NTSB.

10 MR. KUCHARSKI: Yes, Jon.

11 MR. FURUKAWA: Charlie, going back to your
12 statement about 100 miles from the center of the storm,
13 maybe a little closer, what I understand is Captain
14 Davidson emailed the office during this particular
15 voyage that you wanted to stay 60 miles away from the
16 center of the storm. And that was on the north side of
17 the Bahamas, not using the Old Bahama Channel. How
18 does that sound to you compared to what you said before
19 about recommending that he needed to use the Old Bahama
20 Channel in that hurricane, Hurricane Erica?

21 MR. BAIRD: To me, that's very risky. And
22 you're opening yourself up to damaging the ship and
23 getting people hurt.

24 MR. FURUKAWA: Okay. And you were second
25 mate. As second mate, did he ever tell you that he

1 wanted to stay 60 miles away from the storm or 100
2 miles away from the storm or any particular distance?

3 MR. BAIRD: No, we only had that one
4 occasion where we did go the Old Bahama Channel route.

5 MR. FURUKAWA: Okay. When you were on the
6 El Morro and I guess 100 miles away from the Erica, was
7 Captain Davidson on board with you?

8 MR. BAIRD: No. This is probably five or
9 six years ago.

10 MR. FURUKAWA: Okay. But your experience on
11 the El Faro on the southern route to Puerto Rico, 60
12 miles would be too close in your opinion to be away
13 from the storm.

14 MR. BAIRD: Way too close.

15 MR. FURUKAWA: Thank you very much. That's
16 all I have.

17 MR. KUCHARSKI: We have one more question
18 from Carrie Bell.

19 MS. BELL: This is Carrie Bell, NTSB. You
20 seem to characterize your relationship with Captain
21 Davidson as pretty good. You could go to him and
22 question him about a decision he's made or you guys had
23 a good professional working relationship.

24 MR. BAIRD: Yes.

25 MS. BELL: Did any of the other officers

1 ever come to you for advice as to how to approach
2 Captain Davidson?

3 MR. BAIRD: No.

4 MS. BELL: Thank you.

5 MR. KUCHARSKI: On the phone?

6 (No verbal response)

7 Any other questions? This is Mike
8 Kucharski.

9 (No verbal response)

10 Okay. We're going to close it down. It's
11 1:27 p.m. The interview has stopped. Thank you very
12 much, Mr. Baird, for bearing with us.

13 MR. BAIRD: You're welcome.

14 MR. KUCHARSKI: Great job. Thank you. Off
15 the record.

16 (Whereupon, at 1:27 p.m., the above-entitled
17 matter was concluded.)

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C E R T I F I C A T E

MATTER: EL FARO INCIDENT OFF THE COAST
OF THE BAHAMAS ON OCT. 1, 2015
NTSB Accident No. DCA16MM001
Interview of Charles Baird

DATE: 12-06-14

I hereby certify that the attached transcription of page 1 to 182 inclusive are to the best of my professional ability a true, accurate, and complete record of the above referenced proceedings as contained on the provided audio recording; further that I am neither counsel for, nor related to, nor employed by any of the parties to this action in which this proceeding has taken place; and further that I am not financially nor otherwise interested in the outcome of the action.



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NTSB RESPONSE (in bold blue) to TABLE OF CORRECTIONS TO TRANSCRIPT OF INTERVIEW FOR
CHARLES BAIRD
TAKEN ON
DECEMBER 6, 2015

PAGE NUMBER	LINE NUMBER	CURRENT WORDING	SUGGESTED CORRECTED WORDING	NTSB RESPONSE
12	10	scraped	scrapped	AGREE
13	1	"	"	AGREE
14	1	"	"	AGREE
18	24	131310	131 / 310	AGREE
25	11	131.310	131 / 310	AGREE
40	18	least	last	AGREE
42	16, 20	ratings	readings	AGREE
42	21	states	taken	DO NOT AGREE. Sounds like "measurements be after cargo"
43	8	hygrometer	hydrometer	Do not agree. Transcript correct as is
55	3	voyage	cargo	Do not agree. Transcript correct as is
66	23	hole	hold	AGREE
72	23	holes	holds	AGREE
77	16	logger	locker	AGREE
99	18	took	told	AGREE
104	10, 11	NAV tech	Nav Text	AGEE
105	4, 7	Navtech	Nav Text	AGREE
107	2, 22	NavTech	Nav Text	AGREE
111	17, 23	Kucharski	Baird	AGEE
134	16	NavTech	Nav Text	Do not agree. Transcript correct as is
140	20	mono on	mano on mano	AGREE
153	2	works	Rocks	Do not agree. Transcript correct as is
162	1	vat	Back	AGREE
162	8	Mayer	Mayher	AGREE
168	19,20,22,2	epurb	EPIRB	AGREE
169	2	epurb	EPIRB	AGREE

If to the best of your knowledge, no corrections are needed kindly circle the statement "no corrections needed" and initial in the space provided.

NO CORRECTIONS NEEDED. _____

Initials

Printed Name of Person providing the above information

Signature of Person providing the above information

Date

Lee Peterson

TOTE Services

SUBJECT: Supplement to witness interview of Charles Baird conducted on December 6, 2015

I am contacting you as the TOTE Services' Party Coordinator and Party Representatives in connection with the NTSB El Faro accident investigation, NTSB Accident No. DCA16MM001. Please forward this e-mail to the appropriate NTSB investigative Group Chairpersons. After reviewing my transcript, I have identified a matter that was not raised during my interview, but I believe should be part of the investigative record. On September 29, 2015, I was aware of Tropical Storm Joaquin and, knowing that the El Faro would be departing Jacksonville later that day, I communicated with Captain Davidson about the storm via text message from my personal cell phone. I retained a copy of the texts exchange on my cell phone. The text communication was as follows:

10:03am Baird:	Storm forming north of bahamas !!
10:21am Davidson:	yup... thx for the heads up.
6:31pm Baird:	Whats your plan ?
6:53pm Davidson:	we'll steam our normal direct route to SJP. no real weather to speak of until the evening of the 30th. all forecasted information indicates Joaquin will remain north of us and by the morning of the 01 st we will be on the backside of her. we are on schedule to depart the dock at 2000 tonight so everything is shaping up in our favor.
7:09pm Baird:	Cool if u have to we have routrs thru mauagiez crooked isle or ne prov chnl.

Please note this information in your investigative record.

Charles Baird